

By: Hughes

S.B. No. 1719

A BILL TO BE ENTITLED

AN ACT

relating to the rulemaking power of the Texas Supreme Court.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. RULEMAKING POWER OF TEXAS SUPREME COURT

SECTION 1.01. Section 22.004(c), Government Code, is repealed.

ARTICLE 2. CONFORMING CHANGES

SECTION 2.01. Section 30.0035, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 30.0035. PERSONAL SERVICE OF PROCESS DURING LEGISLATIVE PROCEEDING PROHIBITED. A person may not serve citation or other civil process in person on a member, officer, or employee of the senate or house of representatives during any legislative proceeding. A court shall quash any service made in violation of this section. The supreme court shall revoke the certification of a process server who violates this section. ~~[This section is not subject to Section 22.004(c), Government Code.]~~

SECTION 2.02. Section 34.041(c), Civil Practice and Remedies Code, is amended to read as follows:

(c) A sale of real property under this subchapter must take place between 10 a.m. and 4 p.m. on the first Tuesday of a month or, if the first Tuesday of a month occurs on January 1 or July 4, between 10 a.m. and 4 p.m. on the first Wednesday of the month.

~~[Notwithstanding Section 22.004, Government Code, the supreme~~

~~1 court may not amend or adopt rules in conflict with this  
2 subsection.]~~

3 SECTION 2.03. Section 1162.007(c), Estates Code, is amended  
4 to read as follows:

5 (c) An attorney does not violate the attorney-client  
6 privilege solely by complying with a court order to release an  
7 instrument subject to this section and Sections 1162.005 and  
8 1162.006. ~~[Notwithstanding Section 22.004, Government Code, the  
9 supreme court may not amend or adopt rules in conflict with this  
10 subsection.]~~

11 SECTION 2.04. Section 52.047(g), Government Code, is  
12 amended to read as follows:

13 (g) Notwithstanding the Texas Rules of Appellate Procedure,  
14 an official court reporter who is required to prepare a transcript  
15 in a criminal case without charging a fee is not entitled to payment  
16 for the transcript from the state or county if the county paid a  
17 substitute court reporter to perform the official court reporter's  
18 regular duties while the transcript was being prepared. To the  
19 extent that this subsection conflicts with the Texas Rules of  
20 Appellate Procedure, this subsection controls. ~~[Notwithstanding  
21 Sections 22.004 and 22.108(b), the supreme court or the court of  
22 criminal appeals may not amend or adopt rules in conflict with this  
23 subsection.]~~

24 SECTION 2.05. Section 171.208(i), Health and Safety Code,  
25 is amended to read as follows:

26 (i) Notwithstanding any other law, a court may not award  
27 costs or attorney's fees under the Texas Rules of Civil Procedure

1 ~~[or any other rule adopted by the supreme court under Section~~  
2 ~~22.004, Government Code,]~~ to a defendant in an action brought under  
3 this section.

4 SECTION 2.06. Section 455.351(h), Occupations Code, is  
5 amended to read as follows:

6 (h) Notwithstanding any other law or rule ~~[Section 22.004,~~  
7 ~~Government Code]~~:

8 (1) a person may not continue the enjoined activity  
9 pending appeal or trial on the merits of an injunctive order entered  
10 in a suit brought under this subchapter;

11 (2) not later than the 90th day after the date of the  
12 injunctive order, the appropriate court of appeals shall hear and  
13 decide an appeal taken by a party enjoined under this subchapter;  
14 and

15 (3) if an appeal is not taken by a party temporarily  
16 enjoined under this article, the parties are entitled to a full  
17 trial on the merits not later than the 90th day after the date of the  
18 temporary injunctive order.

19 SECTION 2.07. The following provisions of the Civil  
20 Practice and Remedies Code are repealed:

- 21 (1) Section 10.006;
- 22 (2) Section 14.013(c);
- 23 (3) Section 14.014;
- 24 (4) Section 14A.061(c);
- 25 (5) Section 14A.062;
- 26 (6) Section 15.066;
- 27 (7) Section 30.010(d);

- (8) Section 30.013(f);
- (9) Section 30.018(b);
- (10) Section 51.017(b);
- (11) Section 52.005(b);
- (12) Section 64.091(k);
- (13) Section 64.093(k);
- (14) Section 65.045(b);
- (15) Section 98.007(e);
- (16) Section 134A.007(c); and
- (17) Section 154.028(m).

SECTION 2.08. The following provisions are repealed:

- (1) Section 111.002(b), Family Code;
- (2) Section 301.002, Family Code;
- (3) Section 276.002(e), Finance Code;
- (4) Section 74.1625(b), Government Code; and
- (5) Section 410.305(b), Labor Code.

ARTICLE 3. TRANSITION; EFFECTIVE DATE

SECTION 3.01. On the effective date of this Act, a rule adopted by the Texas Supreme Court under Section 22.004, Government Code, as it existed before the effective date of this Act, that conflicts with a provision of law is invalid and has no effect in any action commenced on or after the effective date of this Act in any court in this state.

SECTION 3.02. This Act takes effect September 1, 2025.