

1-1 By: Hughes S.B. No. 1719  
 1-2 (In the Senate - Filed February 27, 2025; March 13, 2025,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 March 31, 2025, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 10, Nays 0; March 31, 2025,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18			X	
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 1719 By: Hughes

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the rulemaking power of the Texas Supreme Court.  
 1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-25 ARTICLE 1. RULEMAKING POWER OF TEXAS SUPREME COURT  
 1-26 SECTION 1.01. Section 22.004, Government Code, is amended  
 1-27 by amending Subsection (c) and adding Subsections (c-1) and (c-2)  
 1-28 to read as follows:  
 1-29 (c) So that the supreme court has full rulemaking power in  
 1-30 civil actions, ~~[a rule adopted by the supreme court repeals]~~ all  
 1-31 ~~[conflicting]~~ laws and parts of laws governing practice and  
 1-32 procedure in civil actions enacted before May 15, 1939, are  
 1-33 ~~repealed, subject to Subsection (c-1) [, but substantive law is not~~  
 1-34 ~~repealed]. This subsection does not repeal a substantive law.~~  
 1-35 (c-1) No laws or parts of laws described by Subsection (c)  
 1-36 are superseded until the supreme court adopts a rule that governs  
 1-37 the subject matter of the law or part of a law.  
 1-38 (c-2) At the time the supreme court files a rule, the court  
 1-39 shall file with the secretary of state a list of each article or  
 1-40 section of general law or each part of an article or section of  
 1-41 general law that has been superseded under Subsection (c-1) [~~is~~  
 1-42 ~~repealed or modified in any way]~~. The list has the same weight and  
 1-43 effect as a decision of the court.  
 1-44 ARTICLE 2. CONFORMING CHANGES  
 1-45 SECTION 2.01. Section 30.0035, Civil Practice and Remedies  
 1-46 Code, is amended to read as follows:  
 1-47 Sec. 30.0035. PERSONAL SERVICE OF PROCESS DURING  
 1-48 LEGISLATIVE PROCEEDING PROHIBITED. A person may not serve citation  
 1-49 or other civil process in person on a member, officer, or employee  
 1-50 of the senate or house of representatives during any legislative  
 1-51 proceeding. A court shall quash any service made in violation of  
 1-52 this section. The supreme court shall revoke the certification of a  
 1-53 process server who violates this section. ~~[This section is not~~  
 1-54 ~~subject to Section 22.004(c), Government Code.]~~  
 1-55 SECTION 2.02. Section 34.041(c), Civil Practice and  
 1-56 Remedies Code, is amended to read as follows:  
 1-57 (c) A sale of real property under this subchapter must take  
 1-58 place between 10 a.m. and 4 p.m. on the first Tuesday of a month or,  
 1-59 if the first Tuesday of a month occurs on January 1 or July 4,  
 1-60 between 10 a.m. and 4 p.m. on the first Wednesday of the month.

2-1 [~~Notwithstanding Section 22.004, Government Code, the supreme~~  
2-2 ~~court may not amend or adopt rules in conflict with this~~  
2-3 ~~subsection.~~]

2-4 SECTION 2.03. Section 1162.007(c), Estates Code, is amended  
2-5 to read as follows:

2-6 (c) An attorney does not violate the attorney-client  
2-7 privilege solely by complying with a court order to release an  
2-8 instrument subject to this section and Sections 1162.005 and  
2-9 1162.006. [~~Notwithstanding Section 22.004, Government Code, the~~  
2-10 ~~supreme court may not amend or adopt rules in conflict with this~~  
2-11 ~~subsection.~~]

2-12 SECTION 2.04. Section 52.047(g), Government Code, is  
2-13 amended to read as follows:

2-14 (g) Notwithstanding the Texas Rules of Appellate Procedure,  
2-15 an official court reporter who is required to prepare a transcript  
2-16 in a criminal case without charging a fee is not entitled to payment  
2-17 for the transcript from the state or county if the county paid a  
2-18 substitute court reporter to perform the official court reporter's  
2-19 regular duties while the transcript was being prepared. To the  
2-20 extent that this subsection conflicts with the Texas Rules of  
2-21 Appellate Procedure, this subsection controls. [~~Notwithstanding~~  
2-22 ~~Sections 22.004 and 22.108(b), the supreme court or the court of~~  
2-23 ~~criminal appeals may not amend or adopt rules in conflict with this~~  
2-24 ~~subsection.~~]

2-25 SECTION 2.05. Section 171.208(i), Health and Safety Code,  
2-26 is amended to read as follows:

2-27 (i) Notwithstanding any other law, a court may not award  
2-28 costs or attorney's fees under the Texas Rules of Civil Procedure  
2-29 [~~or any other rule adopted by the supreme court under Section~~  
2-30 ~~22.004, Government Code,~~] to a defendant in an action brought under  
2-31 this section.

2-32 SECTION 2.06. Section 455.351(h), Occupations Code, is  
2-33 amended to read as follows:

2-34 (h) Notwithstanding any other law or rule [~~Section 22.004,~~  
2-35 ~~Government Code~~]:

2-36 (1) a person may not continue the enjoined activity  
2-37 pending appeal or trial on the merits of an injunctive order entered  
2-38 in a suit brought under this subchapter;

2-39 (2) not later than the 90th day after the date of the  
2-40 injunctive order, the appropriate court of appeals shall hear and  
2-41 decide an appeal taken by a party enjoined under this subchapter;  
2-42 and

2-43 (3) if an appeal is not taken by a party temporarily  
2-44 enjoined under this article, the parties are entitled to a full  
2-45 trial on the merits not later than the 90th day after the date of the  
2-46 temporary injunctive order.

2-47 SECTION 2.07. The following provisions of the Civil  
2-48 Practice and Remedies Code are repealed:

- 2-49 (1) Section 10.006;
- 2-50 (2) Section 14.013(c);
- 2-51 (3) Section 14.014;
- 2-52 (4) Section 14A.061(c);
- 2-53 (5) Section 14A.062;
- 2-54 (6) Section 15.066;
- 2-55 (7) Section 30.010(d);
- 2-56 (8) Section 30.013(f);
- 2-57 (9) Section 30.018(b);
- 2-58 (10) Section 51.017(b);
- 2-59 (11) Section 52.005(b);
- 2-60 (12) Section 64.091(k);
- 2-61 (13) Section 64.093(k);
- 2-62 (14) Section 65.045(b);
- 2-63 (15) Section 98.007(e);
- 2-64 (16) Section 134A.007(c); and
- 2-65 (17) Section 154.028(m).

2-66 SECTION 2.08. The following provisions are repealed:

- 2-67 (1) Section 111.002(b), Family Code;
- 2-68 (2) Section 301.002, Family Code;
- 2-69 (3) Section 276.002(e), Finance Code;

3-1 (4) Section 74.1625(b), Government Code; and  
3-2 (5) Section 410.305(b), Labor Code.

3-3 ARTICLE 3. TRANSITION; EFFECTIVE DATE

3-4 SECTION 3.01. On the effective date of this Act, a rule  
3-5 adopted by the Texas Supreme Court under Section 22.004, Government  
3-6 Code, as it existed before the effective date of this Act, that  
3-7 conflicts with a provision of law is invalid and has no effect in  
3-8 any action commenced on or after the effective date of this Act in  
3-9 any court in this state.

3-10 SECTION 3.02. This Act takes effect immediately if it  
3-11 receives a vote of two-thirds of all the members elected to each  
3-12 house, as provided by Section 39, Article III, Texas Constitution.  
3-13 If this Act does not receive the vote necessary for immediate  
3-14 effect, this Act takes effect September 1, 2025.

3-15 \* \* \* \* \*