

By: Hughes

S.B. No. 2879

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Supreme Court's rulemaking power over practice and procedure in civil actions.

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

SECTION 1. Section 22.004, Government Code, is amended by amending Subsection (c) and adding Subsections (c-1) and (c-2) to read as follows:

(c) So that the supreme court has full rulemaking power in civil actions, ~~[a rule adopted by the supreme court repeals]~~ all ~~[conflicting]~~ laws and parts of laws governing practice and procedure in civil actions enacted before May 15, 1939, are repealed, subject to Subsection (c-1) ~~[, but substantive law is not repealed]~~. This subsection does not repeal a substantive law.

(c-1) No laws or parts of laws described by Subsection (c) are superseded until the supreme court adopts a rule that governs the subject matter of the law or part of a law.

(c-2) At the time the supreme court files a rule, the court shall file with the secretary of state a list of each article or section of general law or each part of an article or section of general law that has been superseded under Subsection (c-1) ~~[is repealed or modified in any way]~~. The list has the same weight and effect as a decision of the court.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2025.