

Suspending limitations on conference committee
jurisdiction, H.B. No. 40 (Landgraf/Hughes)

By: Hughes

S.R. No. 713

R E S O L U T I O N

BE IT RESOLVED by the Senate of the State of Texas, 89th Legislature, Regular Session, 2025, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on House Bill 40 (relating to the business court) to consider and take action on the following matters:

(1) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in proposed SECTION 56 of the bill, adding Section 25A.021, Government Code, to read as follows:

Sec. 25A.021. ACTIONS COMMENCED BEFORE SEPTEMBER 1, 2024.

(a) Notwithstanding Section 8, Chapter 380 (H.B. 19), Acts of the 88th Legislature, Regular Session, 2023, a civil action commenced before September 1, 2024, that is within the jurisdiction of the business court may be transferred to and heard by the business court on an agreed motion of a party and permission of the business court under rules adopted by the supreme court for the purpose. When adopting rules under this section, the supreme court shall:

(1) prioritize complex civil actions of longer duration that have proven difficult for a district court to resolve because of the other demands on the district court's caseload;

(2) consider the capacity of the business court to accept the transfer of the action without impairing the business court's efficiency and effectiveness in resolving actions

1 commenced on or after September 1, 2024; and

2 (3) ensure the facilitation of the fair and efficient
3 administration of justice.

4 (b) This section expires September 1, 2035.

5 Explanation: This change is necessary to allow civil actions
6 commenced before September 1, 2024, to be transferred to and heard
7 by the business court on the agreement of the parties and with the
8 permission of the business court.

9 (2) Senate Rule 12.03(4) is suspended to permit the
10 committee to add text on a matter not included in either the house
11 or senate version of the bill in proposed SECTION 72 of the bill, by
12 adding nonamendatory transition language to read as follows:

13 SECTION 72. Except as provided by Section 25A.021,
14 Government Code, as added by this Act, the changes in law made by
15 this Act apply only to civil actions commenced on or after September
16 1, 2024.

17 Explanation: This change is necessary to allow civil actions
18 commenced before September 1, 2024, to be transferred to and heard
19 by the business court under Section 25A.021, Government Code, as
20 proposed in SECTION 56 of the bill.