

BILL ANALYSIS

Senate Research Center

H.B. 785
By: Gallego (Patterson)
Jurisprudence
4-30-97
Engrossed

DIGEST

Current law mandates that a suit against a county must be brought in that county. However, the same protection is not specifically afforded to cities, hospital districts, or any other political subdivision of the state. Some government entities have found themselves named as defendants in lawsuits in parts of the state other than the county in which they are located. H.B. 785 would require an action against a political subdivision that is located in certain counties to be brought in the county in which the political subdivision is located. This legislation aims to save governmental entities litigation fees, travel expenses, and other costs associated with such suits.

PURPOSE

As proposed, H.B. 785 establishes venue in a suit against a political subdivision.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 15B, Civil Practice and Remedies Code, by adding Section 15.0151, as follows:

Sec. 15.0151. CERTAIN POLITICAL SUBDIVISIONS. Requires an action against a political subdivision that is located in a county with a population of 100,000 or less, except as provided by a law not contained in this chapter, to be brought in the county in which the political subdivision is located. Requires the action to be brought in any county in which the political subdivision is located if the subdivision is located in more than one county and the population of each county is 100,000 or less. Defines "political subdivision."

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Emergency clause.