

BILL ANALYSIS

Senate Research Center

S.B. 287
By: Haywood
Jurisprudence
3-18-97
Committee Report (Amended)

DIGEST

Currently, the Supreme Court of Texas cannot hear appeal of interlocutory order to certify or refusal to certify class actions. Consequently, there is a lack of uniformity in class action certification rulings, and an absence of law on what constitutes an abuse of discretion among trial courts. This bill provides for writs of error from the supreme court from interlocutory orders relating to the certification of class actions.

PURPOSE

As proposed, S.B. 287 provides for writs of error from the supreme court from interlocutory orders described in certain sections of the Civil Practice and Remedies Code.

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 Section 22.225(d), Government Code, to provide that a writ of error is allowed from the supreme court for appeals from interlocutory orders described by Sections 51.014(3) and 51.014(6), Civil Practice and Remedies Code.

SECTION 2. Effective date: upon passage.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Committee Amendment No. 1.

Amends SECTION 2, to provide that this Act takes effect immediately, rather than on September 1, 1997.