

BILL ANALYSIS

Senate Research Center

S.B. 923
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Jurisprudence
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As Filed

DIGEST

Currently, municipalities may be made a party to a class action suit without city council approval. Upon learning that they have been entered into a class action lawsuit without their approval, cities must often devote time and money to remove themselves from such suits. S.B. 923 would allow a municipality to be entered into a class action suit as a plaintiff only by an affirmative vote of the governing body of the municipality.

PURPOSE

As proposed, S.B. 923 outlines provisions regarding the participation of a municipality in a class action suit.

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 17A, Civil Practice and Remedies Code, by adding Section 17.006, as follows:

Sec. 17.006. MUNICIPALITY AS PLAINTIFF IN CLASS ACTION SUIT. Authorizes a municipality to be entered into a class action suit as a plaintiff only by an affirmative vote of the governing body of the municipality.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.