

## **BILL ANALYSIS**

Senate Research Center  
76R10115 DAK-D

C.S.S.B. 648  
By: Wentworth  
Economic Development  
3/31/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, under Texas law, there is a conflict of case law concerning the validity of venue selection clauses, particularly as relating to large commercial transactions. This bill authorizes the specification of venue for actions arising from certain major transactions.

### **PURPOSE**

As proposed, S.B. 648 authorizes the specification of venue for actions arising from certain major transactions.

### **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 15.020, as follows:

Sec. 15.020. MAJOR TRANSACTIONS: SPECIFICATION OF VENUE BY AGREEMENT. Defines "major transaction." Requires an action arising from a major transaction to be brought in a county if the party against whom the action is brought has agreed in writing that a suit arising from the transaction may be brought in that county. Prohibits an action arising from a major transaction from being brought in a county under certain conditions, notwithstanding any other provision of this title. Provides that this section does not apply to an action under certain conditions. Provides that this section does not affect venue and jurisdiction in an action that is not a major transaction.

SECTION 2. Makes application of this Act prospective.  
Effective date: 90 days after adjournment.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 15.020, Civil Practice and Remedies Code, to redefine "major transaction" as not including a transaction to settle a wrongful death claim.