

BILL ANALYSIS

Senate Research Center
78R4942 JSA-D

S.B. 430
By: Hinojosa
Jurisprudence
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As Filed

DIGEST AND PURPOSE

Currently, courts are required to grant a member of the legislature a continuance during certain times and a judge has discretion to grant a continuance if the member is employed within 10 days of a trial. As proposed, S.B. 430 allows newly-elected members the same legislative continuance as other members and extends the time frame in which the judge has discretion as to whether to give a continuance to 30 days.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 30.003(b) and (c), Civil Practice and Remedies Code, as follows:

(b) Includes a member-elect of the legislature as a party to which the court on application shall continue a case if the party will be or is attending a legislative session.

(c) Provides that the continuance is discretionary with the court if the attorney for a party to the case is a member or member-elect of the legislature who was employed on or after the 30th day, rather than within 10 days, before the date on which the suit is set.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2003.