

1-1 By: Romero, Jr., Capriglione H.B. No. 53
 1-2 (Senate Sponsor - Huffman)
 1-3 (In the Senate - Received from the House April 27, 2017;
 1-4 May 11, 2017, read first time and referred to Committee on State
 1-5 Affairs; May 15, 2017, reported favorably by the following vote:
 1-6 Yeas 9, Nays 0; May 15, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to certain limitations on settlement agreements with a
 1-21 governmental unit.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Title 5, Civil Practice and Remedies Code, is
 1-24 amended by adding Chapter 116 to read as follows:

1-25 CHAPTER 116. SETTLEMENT OF CLAIM OR ACTION AGAINST GOVERNMENTAL
 1-26 UNIT

1-27 Sec. 116.001. DEFINITION. In this chapter, "governmental
 1-28 unit" has the meaning assigned by Section 101.001.

1-29 Sec. 116.002. CERTAIN SETTLEMENT TERMS PROHIBITED. (a) A
 1-30 governmental unit may not enter into a settlement of a claim or
 1-31 action against the governmental unit in which:

1-32 (1) the amount of the settlement is equal to or greater
 1-33 than \$30,000;

1-34 (2) the money that would be used to pay the settlement
 1-35 is:

1-36 (A) derived from taxes collected by a
 1-37 governmental unit;

1-38 (B) received from the state; or

1-39 (C) insurance proceeds received from an
 1-40 insurance policy for which the premium was paid with taxes
 1-41 collected by a governmental unit or money received from the state;
 1-42 and

1-43 (3) a condition of the settlement requires a party
 1-44 seeking affirmative relief against the governmental unit to agree
 1-45 not to disclose any fact, allegation, evidence, or other matter to
 1-46 any other person, including a journalist or other member of the
 1-47 media.

1-48 (b) A settlement agreement provision entered into in
 1-49 violation of Subsection (a) is void and unenforceable.

1-50 Sec. 116.003. EFFECT OF CHAPTER. This chapter does not
 1-51 affect information that is privileged or confidential under other
 1-52 law.

1-53 SECTION 2. The change in law made by this Act applies only
 1-54 with respect to a claim or action that is based on a cause of action
 1-55 that accrues on or after the effective date of this Act.

1-56 SECTION 3. This Act takes effect September 1, 2017.

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