

1-1 By: Ortega, et al. (Senate Sponsor - Rodríguez) H.B. No. 36  
 1-2 (In the Senate - Received from the House April 16, 2019;  
 1-3 April 17, 2019, read first time and referred to Committee on  
 1-4 Intergovernmental Relations; May 19, 2019, reported adversely,  
 1-5 with favorable Committee Substitute by the following vote: Yeas 5,  
 1-6 Nays 0; May 19, 2019, sent to printer.)

1-7 COMMITTEE VOTE

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

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 36 By: Lucio

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to expedited proceedings in cases involving dangerously  
 1-20 damaged or deteriorated or substandard buildings or improvements in  
 1-21 certain municipalities.

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

1-23 SECTION 1. Section 51.014(a), Civil Practice and Remedies  
 1-24 Code, is amended to read as follows:

1-25 (a) A person may appeal from an interlocutory order of a  
 1-26 district court, county court at law, statutory probate court, or  
 1-27 county court that:

1-28 (1) appoints a receiver or trustee;

1-29 (2) overrules a motion to vacate an order that  
 1-30 appoints a receiver or trustee;

1-31 (3) certifies or refuses to certify a class in a suit  
 1-32 brought under Rule 42 of the Texas Rules of Civil Procedure;

1-33 (4) grants or refuses a temporary injunction or grants  
 1-34 or overrules a motion to dissolve a temporary injunction as  
 1-35 provided by Chapter 65;

1-36 (5) denies a motion for summary judgment that is based  
 1-37 on an assertion of immunity by an individual who is an officer or  
 1-38 employee of the state or a political subdivision of the state;

1-39 (6) denies a motion for summary judgment that is based  
 1-40 in whole or in part upon a claim against or defense by a member of  
 1-41 the electronic or print media, acting in such capacity, or a person  
 1-42 whose communication appears in or is published by the electronic or  
 1-43 print media, arising under the free speech or free press clause of  
 1-44 the First Amendment to the United States Constitution, or Article  
 1-45 I, Section 8, of the Texas Constitution, or Chapter 73;

1-46 (7) grants or denies the special appearance of a  
 1-47 defendant under Rule 120a, Texas Rules of Civil Procedure, except  
 1-48 in a suit brought under the Family Code;

1-49 (8) grants or denies a plea to the jurisdiction by a  
 1-50 governmental unit as that term is defined in Section 101.001;

1-51 (9) denies all or part of the relief sought by a motion  
 1-52 under Section 74.351(b), except that an appeal may not be taken from  
 1-53 an order granting an extension under Section 74.351;

1-54 (10) grants relief sought by a motion under Section  
 1-55 74.351(1);

1-56 (11) denies a motion to dismiss filed under Section  
 1-57 90.007;

1-58 (12) denies a motion to dismiss filed under Section  
 1-59 27.003; ~~or~~

1-60 (13) denies a motion for summary judgment filed by an

2-1 electric utility regarding liability in a suit subject to Section  
2-2 75.0022; or  
2-3 (14) denies a motion filed by a municipality with a  
2-4 population of 500,000 or more in an action filed under Section  
2-5 54.012(6) or 214.0012, Local Government Code.

2-6 SECTION 2. Subchapter B, Chapter 54, Local Government Code,  
2-7 is amended by adding Section 54.0155 to read as follows:

2-8 Sec. 54.0155. EXPEDITED PROCEEDINGS FOR CERTAIN CIVIL  
2-9 ACTIONS. (a) A court shall expedite any proceeding, including an  
2-10 appeal in accordance with Subsection (b), related to a suit brought  
2-11 under this subchapter for the enforcement of an ordinance adopted  
2-12 by a municipality with a population of 500,000 or more relating to  
2-13 dangerously damaged or deteriorated structures or improvements as  
2-14 described by Section 54.012(6).

2-15 (b) An appeal of a suit described by Subsection (a) is  
2-16 governed by the procedures for accelerated appeals in civil cases  
2-17 under the Texas Rules of Appellate Procedure. The appellate court  
2-18 shall render its final order or judgment with the least possible  
2-19 delay.

2-20 SECTION 3. Section 214.001, Local Government Code, is  
2-21 amended by adding Subsection (s) to read as follows:

2-22 (s) A court shall expedite any proceeding, including an  
2-23 appeal in accordance with Section 214.0012, related to a  
2-24 substandard building determination under this section by a  
2-25 municipality with a population of 500,000 or more.

2-26 SECTION 4. Section 214.0012, Local Government Code, is  
2-27 amended by adding Subsection (i) to read as follows:

2-28 (i) An appeal under this section for an action in which a  
2-29 municipality with a population of 500,000 or more is a party is  
2-30 governed by the procedures for accelerated appeals in civil cases  
2-31 under the Texas Rules of Appellate Procedure. The district court  
2-32 shall render its final order or judgment with the least possible  
2-33 delay.

2-34 SECTION 5. This Act takes effect immediately if it receives  
2-35 a vote of two-thirds of all the members elected to each house, as  
2-36 provided by Section 39, Article III, Texas Constitution. If this  
2-37 Act does not receive the vote necessary for immediate effect, this  
2-38 Act takes effect September 1, 2019.

2-39 \* \* \* \* \*