

BILL ANALYSIS

Senate Research Center
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S.B. 1419
By: West, Royce
Jurisprudence
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DIGEST AND PURPOSE

In 1995, a statute of limitations of six years was enacted that limited the amount of time certain governmental entities had to file suit on an outstanding debt. As a result, the University of Texas system is owed \$26.5 million in delinquent debt which cannot be collected. As proposed, S.B. 1419 returns the law to the previous status by eliminating the statute of limitations for the state and its political subdivisions.

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 Section 3.118, Business & Commerce Code, by adding Subsection (i), to provide that this section does not bar a right of action of this state or a political subdivision of this state, including: a county; an incorporated city or town; a navigation district; a municipal utility district; a port authority; an entity acting under Chapter 341, Acts of the 57th Legislature, Regular Session, 1961 (Article 1187f, V.T.C.S.) (repealed by Acts of the 76th Legislature, Regular Session, 1999); a school district; or an entity created under Section 52 (Counties, Cities or Other Political Corporations or Subdivisions; Lending Credit; Grants; Bonds), Article III, or Section 59 (Conservation and Development of Natural Resources; Conservation and Reclamation Districts), Article XVI, Texas Constitution. Defines "navigation district," "port authority," and "municipal utility district."

SECTION 2. Effective date: upon passage or September 1, 2001.