

BILL ANALYSIS

Senate Research Center
83R9503 CAE-F

H.B. 1874
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Jurisprudence
5/6/2013
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, Section 51.014 (Appeal from Interlocutory Order) of the Civil Practice and Remedies Code allows a party to appeal an interlocutory order from a district court, county court at law, or a county court. Although the appeals are rare, there is currently no permission to appeal an interlocutory order from a statutory probate court. This can be problematic, as a probate court has exclusive jurisdiction over probate, guardianship, and mental health commitment matters.

H.B. 1874 expands the list by adding statutory probate courts to the types of courts whose interlocutory orders can be appealed.

H.B. 1874 amends current law relating to an appeal from an interlocutory order of certain courts.

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 51.014(a), Civil Practice and Remedies Code, to authorize a person to appeal from an interlocutory order of certain courts, including statutory probate courts.

SECTION 2. Provides that the change in law made by this Act to Section 51.014(a), Civil Practice and Remedies Code, applies only to an appeal of an interlocutory order rendered on or after the effective date of this Act. Provides that an appeal of an interlocutory order rendered before the effective date of this Act is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

SECTION 3. Effective date: September 1, 2013.