

## **BILL ANALYSIS**

Senate Research Center  
76R9218 AJA-D

H.B. 3604  
By: Uresti (Madla)  
Jurisprudence  
5/13/1999  
Engrossed

### **DIGEST**

Currently, Texas law makes certain sanctions available to the court in the Texas Rules of Civil Procedure and the Civil Practice and Remedies Code. However, confusion may occur in instances in which these codes are in conflict with respect to time periods available to cure a defect in a pleading. H.B. 3604 resolves any such conflicts which may arise between Rule 13 (Effect of Signing of Pleadings, Motions and Other Papers; Sanctions) of the Texas Rules of Civil Procedure and Sections 9.012 (Violation; Sanction) and 10.004 (Violation; Rules of Civil Procedure) of the Civil Practice and Remedies Code.

### **PURPOSE**

As proposed, H.B. 3604 relates to the imposition of sanctions by a court on a person who signs a pleading or motion.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 9.012, Civil Practice and Remedies Code, by adding Subsection (h), to provide that this section does not apply to any proceeding to which Section 10.004 or Rule 13, Texas Rules of Civil Procedure, applies.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.