

BILL ANALYSIS

Senate Research Center
76R6090 DLF-F

S.B. 697
By: Duncan
Economic Development
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As Filed

DIGEST

Currently, under Texas law, courts reduce the amount of damages to be recovered by a claimant, if the claimant has settled with one or more persons, by a formula whereby a credit equal to a dollar amount based upon percentages of tiered damages amounts determined. This bill requires courts to reduce the amount of damages to be recovered by a claimant, if the claimant has settled with one or more persons, by a credit equal to the sum of the dollar amounts of all settlements or a dollar amount determined by the sum of the percentages of responsibility of all settling persons and by multiplying the amount of damages by the percentages computed.

PURPOSE

As proposed, S.B. 697 revises the computation of credits for settlements in civil actions.

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 33.012(b), Civil Practice and Remedies Code, to require courts to reduce the amount of damages to be recovered by a claimant, if the claimant has settled with one or more persons, by a credit equal to the sum dollar amounts of all settlements or a dollar amount determined by the sum of the percentages of responsibility of all settling persons and multiplying the amount of damages by the percentages computed, rather than a dollar amount based upon percentages of tiered damages amounts.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.