

BILL SUMMARY
1st Session of the 54th Legislature

Bill No.:	SB5
Version:	Engrossed
Request Number:	NA
Author:	Speaker Shannon
Date:	9/6/2013
Impact:	Not Required

Research Analysis

SB5X mirrors the language of section 17 contained in HB1603 (2009).

The measure outlines the conditions under which a claimant or defendant can move for summary judgment. The claiming party may move, with or without supporting affidavits, for summary judgment any time after 20 days has passed from the commencement of the action. The defending party may move for summary judgment, with or without supporting affidavits, at any time. When a motion for summary judgment is made and supported, an opposing party must respond, by affidavits, and set out specific facts showing a genuine issue for trial. Furthermore, if an affidavit is submitted in bad faith or solely to delay, the court will order the submitting party to pay the other party for reasonable expenses, including attorney fees, incurred as a result. If the opposing party does not respond, summary judgment will be entered against the party.

Prepared By: Quyen Do

Fiscal Analysis

Not required.

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Other Considerations

None.