

Bill Summary
2nd Session of the 59th Legislature

Bill No.:	HB 2729
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Bill Analysis

HB 2729 provides that a claim under the Administrative Procedures Act accrues when any plaintiff properly joined in the action has the right to assert the claim in court. The measure also prohibits the reviewing court or officer to interpret state statutes, administrative rules, and other regulations from deferring to the interpretation of a state agency and to interpret the meaning and effect de novo. Any remaining doubt shall be exercised in favor of a reasonable interpretation which limits agency power and maximizes individual liberty. The measure provides that no civil penalty may be awarded in an action brought by or on behalf of an administrative agency of this state against any person or legal entity for conduct that would also be the subject of a suit at common law in which the defendant would be entitled to trial by jury unless such a penalty was assessed after a jury trial. This requirement shall not apply to a summary judgment.

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