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Synopsis of House Committee Amendments

(This synopsis does not address amendments that may have been adopted on the House Floor.)

S.B. 237 of the 135th General Assembly

House Civil Justice

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The House Civil Justice Committee made the following changes to the Senate-passed version of the bill.

Uniform Public Expression Protection Act

- States that the chapter proposed to be enacted is intended to confer substantive immunity from suit, and not merely immunity from liability, for any cause of action concerning protected speech under the bill.
- Exempts survivorship claims or legal actions seeking recovery for bodily injury or wrongful death or statements made regarding those claims or actions.
- Clarifies that no new statutory causes of action are created by the proposed chapter.
- Provides that the court must not fail to award, or reduce an award of, attorney's fees, court costs, and other reasonable litigation expenses on the grounds that the representation of the moving party was undertaken on a pro bono or contingent basis.

Small claims court jurisdiction

- Provides that the filing or defense of an action by the holder of a security agreement or retail installment contract, purchased by the holder for the holder's portfolio of investments, was not and is not prohibited in the small claims division of a municipal or county court, provided that the holder is not an assignee for the purpose of collection.

Eviction actions

- Prohibits any person from filing a forcible entry and detainer action listing a minor tenant as a defendant if a parent or adult guardian is also listed as a defendant on the same complaint.
- Requires the court to dismiss without prejudice any action filed in violation of the prohibition in the preceding dot point and order the person that filed the action to pay the minor tenant's reasonable attorneys' fees.