

CHAPTER 536

H.B. No. 1037

An Act relating to subpoena procedures under the Administrative Procedure and Texas Register Act.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 14(n), Administrative Procedure and Texas Register Act (Article 6252-13a, Vernon's Texas Civil Statutes), is amended to read as follows:

(n) In the case of failure of a person to comply with a subpoena or commission issued under the authority of this Act, the agency issuing the subpoena or commission, acting through the attorney general, or the party requesting the subpoena or commission, may bring suit to enforce the subpoena or commission in a district court, *either in Travis County, or in the county in which a hearing conducted by the agency issuing the subpoena or commission may be held.* The court, if it determines that good cause exists for the issuance of the subpoena or commission, shall order compliance with the requirements of the subpoena or commission. Failure to obey the order of the court may be punished by the court as contempt.

SECTION 2. This Act takes effect September 1, 1985, and applies only to a suit brought to enforce a subpoena or commission issued on or after that date.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 9, 1985, by a non-record vote; passed by the Senate on May 26, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 12, 1985

Effective: September 1, 1985