

CHAPTER 1106

S.B. No. 841

AN ACT

relating to the jurisdiction of the supreme court in certain civil cases.

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

SECTION 1. Subsection (a), Section 22.001, Government Code, is amended to read as follows:

(a) The supreme court has appellate jurisdiction, except in criminal law matters, coextensive with the limits of the state and extending to all questions of law arising in the following cases when they have been brought to the courts of appeals from appealable judgment of the trial courts:

- (1) a case in which the justices of a court of appeals disagree on a question of law material to the decision;
- (2) a case in which one of the courts of appeals holds differently from a prior decision of another court of appeals or of the supreme court on a question of law material to a decision of the case;
- (3) a case involving the construction or validity of a statute necessary to a determination of the case;
- (4) a case involving state revenue;
- (5) a case in which the railroad commission is a party; and
- (6) any other case in which it appears that an error of [substantive] law [that affects the judgment] has been committed by the court of appeals, and that error is of such importance to the jurisprudence of the state that, in the opinion of the supreme court, it requires correction, but excluding those cases in which the jurisdiction of the court of appeals is made final by statute.

SECTION 2. Subsection (b), Section 22.225, Government Code, is amended to read as follows:

(b) Except as provided by Subsection (c), a judgment of a court of appeals is conclusive on the law and facts, and a writ of error is not allowed from the supreme court, in the following civil cases:

- (1) a case appealed from a county court or from a district court when, under the constitution, a county court would have had original or appellate jurisdiction of the case, with the exception of a probate matter or a case involving state revenue laws or the validity or construction of a statute;
- (2) a case of slander;
- (3) ~~a case of divorce, child custody, support, or reciprocal support;~~
- [(4)] a case of a contested election other than a contested election for a state officer, with the exception of a case where the validity of a statute is questioned by the decision;
- (4) [(5)] an appeal from an interlocutory order appointing a receiver or trustee or from other interlocutory appeals that are allowed by law;

(5) [(6)] an appeal from an order or judgment in a suit in which a temporary injunction has been granted or refused or when a motion to dissolve has been granted or overruled; and

(6) [(7)] all other cases except the cases where appellate jurisdiction is given to the supreme court and is not made final in the courts of appeals.

SECTION 3. This Act applies only to judgments in cases that become final on or after the effective date of this Act. A judgment that became final before the effective date of this Act is governed by Chapter 22, Government Code, as it existed at the time the judgment was rendered, and that law is continued in effect for that purpose.

SECTION 4. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on May 13, 1987, by the following vote: Yeas 30, Nays 0. Passed the House on May 29, 1987, by the following vote: Yeas 147, Nays 0, one present not voting.

Approved June 20, 1987.

Effective June 20, 1987.