

1 AN ACT

2 relating to the authority and salary of a district judge presiding  
3 over multidistrict litigation proceedings in cases involving  
4 claims for asbestos-related or silica-related injuries.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 23.101, Government Code, is amended by  
7 adding Subsections (c) and (d) to read as follows:

8 (c) A district judge who presides over multidistrict  
9 litigation involving claims for asbestos-related or silica-related  
10 injuries shall confer with a trial court regarding trial settings  
11 or other matters regarding remand. The trial court shall cooperate  
12 with the multidistrict litigation court and shall not continue or  
13 postpone a trial setting without the concurrence of the  
14 multidistrict litigation court.

15 (d) A district court judge who presides over multidistrict  
16 litigation involving claims for asbestos-related or silica-related  
17 injuries is a party in interest for the limited purpose of  
18 requesting mandamus enforcement of the priority in setting hearings  
19 and trials under Subsection (a)(7).

20 SECTION 2. Chapter 74, Government Code, is amended by  
21 adding Subchapter I to read as follows:

22 SUBCHAPTER I. JUDGE PRESIDING OVER MULTIDISTRICT LITIGATION

23 Sec. 74.201. STAFF. A district judge who presides over  
24 multidistrict litigation involving claims for asbestos-related or

1 silica-related injuries may appoint one briefing attorney and not  
2 more than three clerks to assist the judge.

3 SECTION 3. Subchapter B, Chapter 659, Government Code, is  
4 amended by adding Section 659.0125 to read as follows:

5 Sec. 659.0125. SALARY FOR DISTRICT JUDGE PRESIDING OVER  
6 MULTIDISTRICT LITIGATION. (a) Notwithstanding Section 659.012 or  
7 any other law, a district judge who presides over multidistrict  
8 litigation involving claims for asbestos-related or silica-related  
9 injuries is entitled to receive, in addition to all other  
10 compensation, expenses, and perquisites authorized by law, the  
11 maximum amount of compensation set by the Texas Judicial Council  
12 for a presiding judge under Section 74.051(b). The annual amount  
13 must be apportioned over 12 equal monthly payments and be paid to  
14 the judge by the Texas Judicial Council for each month during which  
15 the judge retains jurisdiction over the claims.

16 (b) Notwithstanding any other law, supplemental  
17 compensation paid to a district judge under this section is not  
18 included as part of the district judge's total annual salary for the  
19 purpose of computing another salary that is based on the salary of  
20 the district judge.

21 SECTION 4. The compensation authorized by Section 659.0125,  
22 Government Code, as added by this Act, applies only to a month that  
23 begins on or after the effective date of this Act.

24 SECTION 5. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

S.B. No. 749

1 Act takes effect September 1, 2007. \_\_\_\_\_

David Sisk  
President of the Senate

Tom Caspary  
Speaker of the House

I hereby certify that S.B. No. 749 passed the Senate on April 26, 2007, by the following vote: Yeas 31, Nays 0. \_\_\_\_\_

Dorothy Spaw  
Secretary of the Senate

I hereby certify that S.B. No. 749 passed the House on May 17, 2007, by the following vote: Yeas 143, Nays 0, two present not voting. \_\_\_\_\_

Robert Honey  
Chief Clerk of the House

Approved:

15 JUN 07

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE

3 PM O'CLOCK

JUN 15 2007

Roger Williams  
Secretary of State