STATE BAR OF TEXAS COMMITTEE ON COURT RULES

REQUEST FOR NEW RULE OR CHANGE OF EXISTING RULE TEXAS RULES OF CIVIL PROCEDURE

I. Exact wording of existing Rule:

Rule 89. TRANSFERRED IF MOTION IS SUSTAINED

The filing fee in the proper court is due and payable within thirty days from the mailing of such notification.

II. Proposed Rule:

Rule 89. TRANSFERRED IF MOTION IS SUSTAINED

The filing fee in the proper court is due and payable within thirty days from not later than the mailing of 30th days after the date such notification is mailed.

III. Brief statement of reasons for requested changes and advantages to be served by them:

The proposed change is intended to promote greater clarity and consistency in the expression of time, time periods and deadlines by (1) referring to the "date" or "day" on which an event occurs, as opposed to "time" which may be construed to mean a time of day, (2) describing a time period in a way that makes the first and last days clear, and (3) leaving no doubt about which is the last day on which action may be taken, in accordance with §7.28 of the Texas Legislative Counsel Drafting Manual.

Respectfully submitted,

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