

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 21-9083

ORDER AMENDING TEXAS RULE OF CIVIL PROCEDURE 199.1(b)

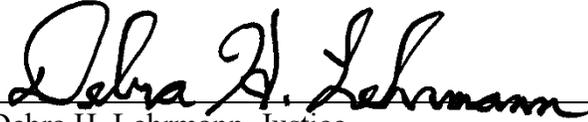
ORDERED that:

1. The Court approves the following amendments to Rule 199.1(b) of the Texas Rules of Civil Procedure.
2. To effectuate the Act of May 31, 2021, 87th Leg., R.S., ch. 934 (HB 3774, codified at TEX. GOV'T CODE § 154.105), the amendments are effective September 1, 2021. But the amendments may later be changed in response to public comments. Written comments should be sent to rulescomments@txcourts.gov. The Court requests comments be sent by November 1, 2021.
3. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to each elected member of the Legislature; and
 - d. submit a copy of the Order for publication in the *Texas Register*.

Dated: August 2, 2021



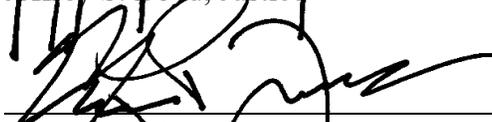
Nathan L. Hecht, Chief Justice



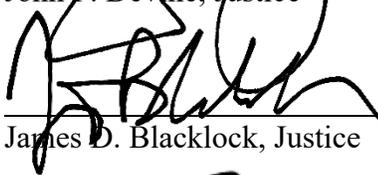
Debra H. Lehrmann, Justice



Jeffrey S. Boyd, Justice



John F. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice

RULE 199. DEPOSITIONS UPON ORAL EXAMINATION

199.1 Oral Examination; Alternative Methods of Conducting or Recording.

- (b) **Depositions by telephone or other remote electronic means.** A party may take an oral deposition by telephone or other remote electronic means if the party gives reasonable prior written notice of intent to do so. For the purposes of these rules, an oral deposition taken by telephone or other remote electronic means is considered as having been taken in the district and at the place where the witness is located when answering the questions. ~~The officer taking the deposition may be located with the party noticing the deposition instead of with the witness if the witness is placed under oath by a person who is present with the witness and authorized to administer oaths in that jurisdiction.~~

Comment to 2021 change: Rule 199.1(b) is amended in response to changes to section 154.105 of the Texas Government Code governing the administration of oaths by court reporters.