

By: Gutierrez

H.B. No. 812

A BILL TO BE ENTITLED

AN ACT

relating to distribution of part of each exemplary damage award to the permanent school fund.

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

SECTION 1. Chapter 41, Civil Practice and Remedies Code, is amended by adding Section 41.014 to read as follows:

Sec. 41.014. DISTRIBUTION OF AWARD. (a) Notwithstanding any contractual agreement between a claimant and the claimant's attorney, a court shall order an award of exemplary damages paid as follows:

(1) 15 percent to the claimant;

(2) 10 percent to the claimant's attorney; and

(3) 75 percent to the permanent school fund.

(b) The provisions of this section may not be made known to the jury by any means, including voir dire, introduction into evidence, argument, or instruction.

SECTION 2. This Act takes effect September 1, 2003, and, except as provided by a contract entered into before the effective date of this Act, applies only to damages awarded for a cause of action that accrues on or after that date. Damages awarded for a cause of action that accrues before the effective date of this Act are governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.