By: Phillips H.B. No. 444

A BILL TO BE ENTITLED

AN ACT

relating to attorney's fees in certain postjudgment proceedings.

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

SECTION 1. Section 9.014, Family Code, is amended to read as follows:

Sec. 9.014. ATTORNEY'S FEES. The court may award reasonable attorney's fees [~~as costs~~] in a proceeding under this subchapter. The court may order the attorney's fees to be paid directly to the attorney, who may enforce the order for fees in the attorney's own name by any means available for the enforcement of a judgment for debt.

SECTION 2. Subchapter B, Chapter 9, Family Code, is amended by adding Section 9.106 to read as follows:

Sec. 9.106. ATTORNEY'S FEES. The court may award reasonable attorney's fees in a proceeding under this subchapter. The court may order the attorney's fees to be paid directly to the attorney, who may enforce the order for fees in the attorney's own name by any means available for the enforcement of a judgment for debt.

SECTION 3. Section 9.205, Family Code, is amended to read as follows:

Sec. 9.205. ATTORNEY'S FEES. In a proceeding to divide property previously undivided in a decree of divorce or annulment as provided by this subchapter, the court may award reasonable

attorney's fees [~~as costs~~]. The court may order the attorney's fees to be paid directly to the attorney, who may enforce the order in the attorney's own name by any means available for the enforcement of a judgment for debt.

SECTION 4. The changes in law made by this Act apply only to a proceeding commenced under Chapter 9, Family Code, on or after the effective date of this Act. A proceeding commenced under Chapter 9, Family Code, before the effective date of this Act is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2007.