

By: Strama

H.B. No. 3071

A BILL TO BE ENTITLED

AN ACT

relating to the recovery of reasonable attorney's fees for certain claims relating to hazardous wastes intentionally abandoned on the claimant's property.

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

SECTION 1. Section 38.001, Civil Practice and Remedies Code, is amended to read as follows:

Section 38.001. RECOVERY OF ATTORNEY'S FEES. A person may recover reasonable attorney's fees from an individual or corporation, in addition to the amount of a valid claim and costs, if the claim is for:

- (1) rendered services;
- (2) performed labor;
- (3) furnished material;
- (4) freight or express overcharges;
- (5) lost or damaged freight or express;
- (6) killed or injured stock;
- (7) a sworn account; ~~or~~
- (8) an oral or written contract; or
- (9) management of hazardous wastes intentionally

abandoned on the person's property by another.

SECTION 2. This Act applies only to actions pending or commenced on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2007.