

By: Dutton

H.B. No. 907

A BILL TO BE ENTITLED

AN ACT

1
2 relating to liability for and payment of the fees of an attorney ad
3 litem in a suit to collect delinquent ad valorem taxes.

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

5 SECTION 1. Section 33.49, Tax Code, is amended by amending
6 Subsection (a) and adding Subsection (c) to read as follows:

7 (a) Except as provided by Subsections [~~Subsection~~] (b) and
8 (c), a taxing unit is not liable in a suit to collect taxes for court
9 costs, including any fees for service of process, [~~an attorney ad~~
10 ~~litem,~~] arbitration, or mediation, and may not be required to post
11 security for costs.

12 (c) A taxing unit shall pay the reasonable attorney ad litem
13 fees approved by the court from the unit's general fund as soon as
14 practicable after receipt of the attorney ad litem's claim for
15 payment. The taxing unit is entitled to reimbursement toward the
16 fees from other taxing units as provided by Subsection (b).

17 SECTION 2. The changes in law made by this Act apply only to
18 a suit to collect delinquent ad valorem taxes that is filed on or
19 after September 1, 2009.

20 SECTION 3. This Act takes effect September 1, 2009.