

By: Howard of Travis

H.B. No. 1455

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the award of attorney's fees, costs, and certain  
3 damages in a proceeding to revoke a medical power of attorney.

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

5 SECTION 1. Section 166.165, Health and Safety Code, is  
6 amended by adding Subsection (d) to read as follows:

7 (d) The court shall award reasonable attorney's fees and  
8 court costs to the prevailing party. The court may award other  
9 appropriate relief, including the health care costs incurred during  
10 an unwarranted delay in the revocation of a medical power of  
11 attorney.

12 SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2009.