

By: Frost

H.B. No. 3193

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an award of attorney's fees in a suit for partition of
3 real estate.

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

5 SECTION 1. Chapter 23, Property Code, is amended by adding
6 Section 23.0051 to read as follows:

7 Sec. 23.0051. ATTORNEY'S FEES. In an action in which real
8 property is partitioned by sale, the court may award attorney's
9 fees to the person who filed the action if the person's attorney
10 demonstrates that the attorney's work benefited the person who
11 filed the action and the other parties to the action.

12 SECTION 2. The change in law made by this Act applies only
13 to an action commenced on or after the effective date of this Act.
14 An action commenced before the effective date of this Act is
15 governed by the law in effect immediately before the effective date
16 of this Act, and that law is continued in effect for that purpose.

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