

By: Dutton

H.B. No. 544

A BILL TO BE ENTITLED

AN ACT

relating to a request for attorney's fees in a family law matter.

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

SECTION 1. The heading to Subchapter A, Chapter 1, Family Code, is amended to read as follows:

SUBCHAPTER A. DEFINITIONS AND GENERAL PROVISIONS

SECTION 2. Subchapter A, Chapter 1, Family Code, is amended by adding Section 1.004 to read as follows:

Sec. 1.004. REQUEST FOR ATTORNEY'S FEES. If attorney's fees are sought in a proceeding under this title in connection with more than one claim or statutory basis for recovery of attorney's fees, the request for fees must disaggregate the total amount sought by claim or basis for recovery so that the amount sought for each claim or basis of recovery is specifically identified.

SECTION 3. Section 81.005, Family Code, is amended by adding Subsection (c) to read as follows:

(c) If attorney's fees are sought in a proceeding under this title in connection with more than one claim or statutory basis for recovery of attorney's fees, the request for fees must disaggregate the total amount sought by claim or basis for recovery so that the amount sought for each claim or basis of recovery is specifically identified.

SECTION 4. Section 106.002, Family Code, is amended by adding Subsection (c) to read as follows:

1 (c) If attorney's fees are sought in connection with more
2 than one claim or statutory basis for recovery of attorney's fees,
3 the request for fees must disaggregate the total amount sought by
4 claim or basis for recovery so that the amount sought for each claim
5 or basis of recovery is specifically identified.

6 SECTION 5. The change in law made by this Act applies to a
7 request for attorney's fees made on or after the effective date of
8 this Act. A request for attorney's fees made before the effective
9 date of this Act is governed by the law in effect on the date the
10 request is made, and the former law is continued in effect for that
11 purpose.

12 SECTION 6. This Act takes effect September 1, 2011.