

## **BILL ANALYSIS**

H.B. 230  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties point out that a recent court decision held that a recovery of attorney's fees under certain civil practice and remedies provisions is inapplicable to partnerships, and the parties are concerned that this could also be interpreted to mean that the statute is inapplicable to limited partnerships and limited liability companies as well. H.B. 230 seeks to clarify this matter.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 230 amends the Civil Practice and Remedies Code to include, in addition to an individual and a corporation, other legal entities among the parties to certain civil cases from which a person is authorized to recover reasonable attorney's fees. The bill establishes that this provision does not authorize the recovery of attorney's fees from the state, an agency or institution of the state, or a political subdivision of the state and that the recovery of attorney's fees in the applicable cases does not affect any other statute regarding the recovery of attorney's fees from these state entities.

### **EFFECTIVE DATE**

September 1, 2015.