

1-1 By: Cyrier, Anderson of McLennan H.B. No. 2121
 1-2 (Senate Sponsor - Hughes)
 1-3 (In the Senate - Received from the House May 15, 2017;
 1-4 May 16, 2017, read first time and referred to Committee on State
 1-5 Affairs; May 19, 2017, reported favorably by the following vote:
 1-6 Yeas 7, Nays 1; May 19, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16		X		
1-17	X			

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to damages in certain contract claims against the state.
 1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Section 2260.003, Government Code, is amended by
 1-23 adding Subsection (d) to read as follows:
 1-24 (d) Notwithstanding Subsection (c), an award of damages
 1-25 under this chapter may include attorney's fees if:
 1-26 (1) the claim is for breach of a written contract for:
 1-27 (A) engineering, architectural, or construction
 1-28 services; or
 1-29 (B) materials related to the services described
 1-30 by Paragraph (A); and
 1-31 (2) the amount in controversy is less than \$250,000,
 1-32 excluding penalties, costs, expenses, prejudgment interest, and
 1-33 attorney's fees.
 1-34 SECTION 2. Section 2260.003, Government Code, as amended by
 1-35 this Act, applies only to an action filed on or after the effective
 1-36 date of this Act. An action filed before the effective date of this
 1-37 Act is governed by the law applicable to the action immediately
 1-38 before the effective date of this Act, and that law is continued in
 1-39 effect for that purpose.
 1-40 SECTION 3. This Act takes effect immediately if it receives
 1-41 a vote of two-thirds of all the members elected to each house, as
 1-42 provided by Section 39, Article III, Texas Constitution. If this
 1-43 Act does not receive the vote necessary for immediate effect, this
 1-44 Act takes effect September 1, 2017.

1-45 * * * * *