

By: Burrows

H.B. No. 2843

A BILL TO BE ENTITLED

1 AN ACT

2 relating to recovery of attorney's fees in certain civil cases.

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

4 SECTION 1. Section 38.001, Civil Practice and Remedies  
5 Code, is amended to read as follows:

6 Sec. 38.001. RECOVERY OF ATTORNEY'S FEES. (a) In this  
7 section, "business entity" means any entity recognized by law  
8 through which business for profit is conducted, including a sole  
9 proprietorship, partnership, firm, corporation, holding company,  
10 joint stock company, receivership, or trust.

11 (b) A person may recover reasonable attorney's fees from an  
12 individual, ~~or~~ corporation, or business entity, in addition to  
13 the amount of a valid claim and costs, if the claim is for:

- 14 (1) rendered services;
- 15 (2) performed labor;
- 16 (3) furnished material;
- 17 (4) freight or express overcharges;
- 18 (5) lost or damaged freight or express;
- 19 (6) killed or injured stock;
- 20 (7) a sworn account; or
- 21 (8) an oral or written contract.

22 SECTION 2. The change in law made by this Act applies only  
23 to an award of attorney's fees in an action commenced on or after  
24 the effective date of this Act. An award of attorney's fees in an

1 action commenced before the effective date of this Act is governed  
2 by the law applicable to the award immediately before the effective  
3 date of this Act, and that law is continued in effect for that  
4 purpose.

5 SECTION 3. This Act takes effect September 1, 2017.