

## **BILL ANALYSIS**

H.B. 3300  
By: Murr  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that the mandatory award of costs and reasonable and necessary attorney's fees to the prevailing party in a baseless cause of action discourages potential motions to dismiss an action as both parties are often reluctant to expose themselves to such costs and fees. H.B. 3300 seeks to encourage the dismissal of baseless causes of actions and reduce court backlog by making the award of costs and fees discretionary.

### **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. 3300 amends the Civil Practices and Remedies Code to make the award of costs and reasonable and necessary attorney's fees by a trial court to the prevailing party in a civil proceeding on the court's granting or denial, in whole or in part, of a motion to dismiss certain causes of action that have no basis in law or fact discretionary.

### **EFFECTIVE DATE**

September 1, 2019.