86R23021 BEF-F

By:  Smithee H.B. No. 3457

Substitute the following for H.B. No. 3457:

By:  Parker C.S.H.B. No. 3457

A BILL TO BE ENTITLED

AN ACT

relating to the assessment of costs of litigation and reasonable attorney fees in certain lawsuits under the public information law.

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

SECTION 1.  Section 552.323, Government Code, is amended by adding Subsection (c) to read as follows:

(c)  For purposes of Subsection (a), a plaintiff substantially prevails if the plaintiff obtains relief through:

(1)  a judicial order;

(2)  an enforceable written agreement or consent decree; or

(3)  a voluntary or unilateral change in position by the governmental body.

SECTION 2.  Section 552.323(c), Government Code, as added by this Act, applies only to an action commenced on or after the effective date of this Act. An action commenced before the effective date of this Act is governed by the law applicable to the action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2019.