86R14236 AJA-D

By:  Johnson of Harris H.B. No. 4122

A BILL TO BE ENTITLED

AN ACT

relating to the award of attorney's fees to a financial institution that answers a writ of garnishment.

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

SECTION 1.  Section 276.002, Finance Code, is amended by adding Subsection (d-1) to read as follows:

(d-1)  Notwithstanding the Texas Rules of Civil Procedure or any other law, if a financial institution timely files an answer to a writ of garnishment, a court may not award attorney's fees to the financial institution unless the garnishor unsuccessfully contests the answer.

SECTION 2.  The change in law made by this Act applies only to a writ of garnishment issued on or after the effective date of this Act.

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