

By: Davis of Harris, Farrar, Leach, et al.

H.B. No. 790

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, "organization" has the meaning assigned by Section 1.002,
8 Business Organizations Code.

9 (b) A person may recover reasonable attorney's fees from an
10 individual, an organization, the state, or an agency or institution
11 of the state [or corporation], in addition to the amount of a valid
12 claim and costs, if the claim is for:

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

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

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

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