

By: White

H.B. No. 2891

Substitute the following for H.B. No. 2891:

By: Smith

C.S.H.B. No. 2891

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 person may
7 recover reasonable attorney's fees from an individual or
8 corporation, in addition to the amount of a valid claim and costs,
9 if the claim is for:

- 10 (1) rendered services;
- 11 (2) performed labor;
- 12 (3) furnished material;
- 13 (4) freight or express overcharges;
- 14 (5) lost or damaged freight or express;
- 15 (6) a killed or injured livestock animal, as defined
16 by Section 92.001 [~~stock~~];
- 17 (7) a sworn account; or
- 18 (8) an oral or written contract.

19 SECTION 2. The change in law made by this Act applies only
20 to a cause of action that accrues on or after the effective date of
21 this Act. A cause of action that accrues before the effective date
22 of this Act is governed by the law applicable to the cause of action
23 immediately before the effective date of this Act, and that law is
24 continued in effect for that purpose.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2019.