

By: White

H.B. No. 2891

A BILL TO BE ENTITLED

AN ACT

relating to recovery of attorney's fees against veterinarians for certain claims.

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

SECTION 1. Section 38.006, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 38.006. EXCEPTIONS. (a) This chapter does not apply to a contract issued by an insurer that is subject to the provisions of:

- (1) Title 11, Insurance Code;
- (2) Chapter 541, Insurance Code;
- (3) the Unfair Claim Settlement Practices Act (Subchapter A, Chapter 542, Insurance Code); or
- (4) Subchapter B, Chapter 542, Insurance Code.

(b) A person may not recover attorney's fees against a veterinarian licensed under Chapter 801, Occupations Code, in a claim for killed or injured stock resulting from veterinary malpractice or negligence.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law applicable to the cause of action immediately before the effective date of this Act, and that law is 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.