

By: Johnson of Harris

H.B. No. 4122

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the award of attorney's fees to a financial institution  
3 that answers a writ of garnishment.

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

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

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

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

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