

By: Davis of Dallas

H.B. No. 4476

A BILL TO BE ENTITLED

AN ACT

1
2 relating to civil liability for abuse or exploitation of an elderly
3 person or person with a disability.

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

5 SECTION 1. Subchapter D, Chapter 48, Human Resources Code,
6 is amended by adding Section 48.1524 to read as follows:

7 Sec. 48.1524. CIVIL LIABILITY. (a) A person is liable to
8 an elderly person or person with a disability for damages for abuse
9 or exploitation.

10 (b) A claimant who prevails in a suit under this section may
11 recover actual damages, including damages for mental anguish even
12 if an injury other than mental anguish is not shown.

13 (c) In addition to an award under Subsection (a), a claimant
14 who prevails in a suit under this section may recover exemplary
15 damages and reasonable attorney fees.

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

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