

BILL ANALYSIS

H.B. 2809
By: Murphy
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State law tasks the office of the attorney general (OAG) with reviewing most contingent fee contracts for legal services by state governmental entities and other political subdivisions in Texas. For multimillion-dollar lawsuits, this oversight can be beneficial and ultimately save taxpayer dollars while ensuring that appropriate legal representation is retained. Other contingent fee contracts, such as those for delinquent property tax collection, unpaid court fees, and fines for failure to appear in court, are far less complicated and are thus exempt from OAG oversight. Contingent fee contracts with a private attorney or a vendor for the collection of unpaid alcoholic beverage permit or license fees are similar in nature to these exempted contracts, but are not currently included in the statutory exemption. H.B. 2809 seeks to exempt these contracts from OAG oversight.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2809 amends the Government Code to exempt from provisions relating to contingent fee contracts for legal services entered into by state governmental entities and other political subdivisions, with certain exceptions, a contract entered into by a city, town, or county with a private attorney or a public or private vendor for the collection of an unpaid fee levied for an alcoholic beverage license or permit that is more than 60 days past due.

EFFECTIVE DATE

September 1, 2021.