H.B. No. 1578

AN ACT

relating to recovery of attorney's fees in certain civil cases.

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

SECTION 1.  Section 38.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 38.001.  RECOVERY OF ATTORNEY'S FEES. (a) In this section, "organization" has the meaning assigned by Section 1.002, Business Organizations Code.

(b)  A person may recover reasonable attorney's fees from an individual or organization other than a quasi-governmental entity authorized to perform a function by state law, a religious organization, a charitable organization, or a charitable trust [~~corporation~~], in addition to the amount of a valid claim and costs, if the claim is for:

(1)  rendered services;

(2)  performed labor;

(3)  furnished material;

(4)  freight or express overcharges;

(5)  lost or damaged freight or express;

(6)  killed or injured stock;

(7)  a sworn account; or

(8)  an oral or written contract.

SECTION 2.  The change in law made by this Act applies only to an award of attorney's fees in an action commenced on or after the effective date of this Act. An award of attorney's fees in an action commenced before the effective date of this Act is governed by the law applicable to the award immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2021.

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    President of the Senate Speaker of the House

I certify that H.B. No. 1578 was passed by the House on April 20, 2021, by the following vote:  Yeas 143, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1578 on May 28, 2021, by the following vote:  Yeas 135, Nays 10, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1578 was passed by the Senate, with amendments, on May 24, 2021, by the following vote:  Yeas 29, Nays 1.

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Secretary of the Senate

APPROVED: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

                 Date

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               Governor