By:  Gervin-Hawkins, Patterson H.B. No. 2416

     (Senate Sponsor - Powell)

(In the Senate - Received from the House May 17, 2021; May 17, 2021, read first time and referred to Committee on State Affairs; May 21, 2021, reported favorably by the following vote: Yeas 8, Nays 0; May 21, 2021, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Hughes          X

Birdwell        X

Campbell        X

Hall                     X

Lucio           X

Nelson          X

Powell          X

Schwertner      X

Zaffirini       X

A BILL TO BE ENTITLED

AN ACT

relating to the recovery of attorney's fees as compensatory damages for certain claims.

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

SECTION 1.  Chapter 38, Civil Practice and Remedies Code, is amended by adding Section 38.0015 to read as follows:

Sec. 38.0015.  RECOVERY OF ATTORNEY'S FEES AS COMPENSATORY DAMAGES. (a) A person may recover reasonable attorney's fees from an individual, corporation, or other entity from which recovery is permitted under Section 38.001 as compensatory damages for breach of a construction contract as defined by Section 130.001.

(b)  This section may not be construed to create or imply a private cause of action or independent basis to recover attorney's fees.

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.

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

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