By:  Rosenthal H.B. No. 3349

A BILL TO BE ENTITLED

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) Except as provided by Subsection (b), a [~~A~~] person may recover reasonable attorney's fees from an individual, [~~or~~] corporation, or other legal entity, 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.

(b)  Subsection (a) does not authorize the recovery of attorney's fees from the state, an agency or institution of the state, or a political subdivision of the state. This section does not affect any other statute regarding the recovery of attorney's fees from the state, an agency or institution of the state, or a political subdivision of the state.

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.