

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

1 the effective date of this Act. An award of attorney's fees in an  
2 action commenced before the effective date of this Act is governed  
3 by the law applicable to the award immediately before the effective  
4 date of this Act, and that law is continued in effect for that  
5 purpose.

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

---

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.

---

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.

---

Secretary of the Senate

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

Date

---

Governor