

By: Gervin-Hawkins

H.B. No. 2416

Substitute the following for H.B. No. 2416:

By: Davis

C.S.H.B. No. 2416

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the recovery of attorney's fees as compensatory damages
3 for certain claims.

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

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

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

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

15 SECTION 2. The change in law made by this Act applies only
16 to a cause of action that accrues on or after the effective date of
17 this Act.

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