

By: Johnson

S.B. No. 1843

A BILL TO BE ENTITLED

AN ACT

relating to the award of attorney's fees in an action involving the exercise of certain constitutional rights.

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

SECTION 1. Section 27.009(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) Except as provided by Subsection (c), if the court orders dismissal of a legal action under this chapter, the court:

(1) shall award to the moving party court costs and reasonable attorney's fees for ~~incurred in~~ defending against the legal action; and

(2) may award to the moving party sanctions against the party who brought the legal action as the court determines sufficient to deter the party who brought the legal action from bringing similar actions described in this chapter.

SECTION 2. The change in law made by this Act applies only to an action filed on or after the effective date of this Act. An action filed before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.