

1-1 By: Murr, et al. (Senate Sponsor - Huffman) H.B. No. 3300
1-2 (In the Senate - Received from the House May 2, 2019;
1-3 May 3, 2019, read first time and referred to Committee on State
1-4 Affairs; May 14, 2019, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 14, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Hughes	X			
1-9 Birdwell	X			
1-10 Creighton	X			
1-11 Fallon	X			
1-12 Hall	X			
1-13 Lucio	X			
1-14 Nelson	X			
1-15 Zaffirini	X			
1-16				

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to an award of costs and attorney's fees in a motion to
1-20 dismiss for certain actions that have no basis in law or fact.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 30.021, Civil Practice and Remedies
1-23 Code, is amended to read as follows:

1-24 Sec. 30.021. AWARD OF ATTORNEY'S FEES IN RELATION TO
1-25 CERTAIN MOTIONS TO DISMISS. In a civil proceeding, on a trial
1-26 court's granting or denial, in whole or in part, of a motion to
1-27 dismiss filed under the rules adopted by the supreme court under
1-28 Section 22.004(g), Government Code, the court may [shall] award
1-29 costs and reasonable and necessary attorney's fees to the
1-30 prevailing party. This section does not apply to actions by or
1-31 against the state, other governmental entities, or public officials
1-32 acting in their official capacity or under color of law.

1-33 SECTION 2. The change in law made by this Act applies only
1-34 to a civil action commenced on or after the effective date of this
1-35 Act. A civil action commenced before the effective date of this Act
1-36 is governed by the law applicable to the action immediately before
1-37 the effective date of this Act, and that law is continued in effect
1-38 for that purpose.

1-39 SECTION 3. This Act takes effect September 1, 2019.

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