

By: Kolkhorst

S.B. No. 1600

A BILL TO BE ENTITLED

AN ACT

relating to a limit on the award of attorney's fees in certain actions brought against a governmental entity.

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

SECTION 1. Section 37.009, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 37.009. COSTS. (a) Except as provided by Subsection (b), in a [In any] proceeding under this chapter, the court may award costs and reasonable and necessary attorney's fees as are equitable and just.

(b) In a proceeding under this chapter where declaratory relief is sought against a governmental entity, the court may award attorney's fees in an amount not to exceed \$250,000.

(c) In this section, "governmental entity" means the state or an agency of the state.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.