

## **BILL ANALYSIS**

C.S.H.B. 790  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been noted that current state law makes problematic the recovery of attorney's fees in certain civil cases from some legal entities, such as state agencies and other classes of business entities. C.S.H.B. 790 seeks to remedy this situation by expanding the types of entities from which attorney's fees may be recovered.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 790 amends the Civil Practice and Remedies Code to include the state, an agency or institution of the state, or an organization among the entities from which a person may recover reasonable attorney's fees in addition to the amount of a valid claim and costs if the claim is of a specified nature. The bill provides for the meaning of "organization" by reference to its definition in the Business Organizations Code.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 790 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a political subdivision among the entities from which a person may recover reasonable attorney's fees in applicable cases.