Chapter 264

H.B. No. 1704

1	AN ACT
2	relating to the award of court costs and attorney's fees in actions
3	to determine the applicability of certain local government
4	regulations.
5	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
6	SECTION 1. Section 245.006, Local Government Code, is
7	amended by adding Subsection (c) to read as follows:
8	(c) A court may award court costs and reasonable and
9	necessary attorney's fees to the prevailing party in an action
10	under this chapter.
11	SECTION 2. This Act takes effect immediately if it receives
12	a vote of two-thirds of all the members elected to each house, as
13	provided by Section 39, Article III, Texas Constitution. If this
14	Act does not receive the vote necessary for immediate effect, this

15 Act takes effect September 1, 2017.

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President of the Senate

H.B. No. 1704 aus Speaker of the House

I certify that H.B. No. 1704 was passed by the House on April 28, 2017, by the following vote: Yeas 135, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1704 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

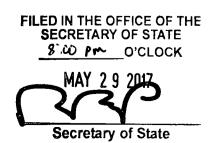
Secretary of the Senate

<u>5-29-2017</u> Date

APPROVED:

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LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 9, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1704 by Kuempel (Relating to the award of court costs and attorney's fees in actions to determine the applicability of certain local government regulations.), As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code relating to the issuance of permits for certain wastewater construction projects. The bill would allow a court to award court costs and reasonable and necessary attorney's fees to the prevailing party.

The bill would take effect immediately if it receives two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

Local Government Impact

According to the Office of Court Administration (OCA), no significant fiscal impact to local courts is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council **LBB Staff:** UP, AG, LBO, GG, BM, JGA

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FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 3, 2017

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1704 by Kuempel (Relating to the award of court costs and attorney's fees in actions to determine the applicability of certain local government regulations.), As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Local Government Code relating to the issuance of permits for certain wastewater construction projects. The bill would allow a court to award court costs and reasonable and necessary attorney's fees to the prevailing party.

The bill would take effect immediately if it receives two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

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