

## **BILL ANALYSIS**

Senate Research Center

S.B. 2057  
By: Wentworth  
Jurisprudence  
5/10/2007  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, a person may recover reasonable attorney's fees from an individual or corporation, in addition to the amount of a valid claim and costs, if the claim is for: rendered services; performed labor; furnished material; freight or express overcharges; lost or damaged freight or express; killed or injured stock; a sworn account; or an oral or written contract.

As proposed, S.B. 2057 amends the current statute to include recovery of reasonable attorney's fees for litigation arising from the abandonment of hazardous wastes on a person's property by another. This bill would allow a person, company, or state agency to recover attorney's fees from abandonment of hazardous waste by a person or corporation.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 38.001, Civil Practice and Remedies Code, to add a claim for management of hazardous waste intentionally abandoned on a person's property by another to the list of claims for which a person is authorized to recover reasonable attorney's fees from an individual or corporation, in addition to the amount of a valid claim and costs.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.