

CIVIL PRACTICE AND REMEDIES CODE

TITLE 4. LIABILITY IN TORT

CHAPTER 100D. LIABILITY FOR MALICIOUS SOLICITATION DURING DISASTER

Text of section effective on December 04, 2025

Sec. 100D.001. DEFINITION. In this chapter, "malicious solicitation during a disaster" means conduct that constitutes an offense under Section 32.61, Penal Code.

Added by Acts 2025, 89th Leg., 2nd C.S., Ch. 9 (H.B. 20), Sec. 4.01, eff. December 4, 2025.

Text of section effective on December 04, 2025

Sec. 100D.002. LIABILITY. A person who engages in malicious solicitation during a disaster is liable to the donee on whose behalf the payment was collected, the donee's estate, the donor from whom the payment was solicited, or the donor's estate.

Added by Acts 2025, 89th Leg., 2nd C.S., Ch. 9 (H.B. 20), Sec. 4.01, eff. December 4, 2025.

Text of section effective on December 04, 2025

Sec. 100D.003. DAMAGES. (a) A court shall award a donee or donee's estate who prevails in an action brought under this chapter:

(1) 300 percent of the amount of donations the defendant collected on behalf of the donee; and

(2) reasonable and necessary attorney's fees.

(b) A court shall award a donor or a donor's estate who prevails in an action brought under this chapter:

(1) 300 percent of the amount of donations the defendant collected from the donor; and

(2) reasonable and necessary attorney's fees.

(c) Nothing in this section prevents a donee, donee's estate, donor, or donor's estate from pursuing a claim for exemplary damages under Chapter 41 for the defendant's malicious solicitation during a disaster.

Added by Acts 2025, 89th Leg., 2nd C.S., Ch. 9 (H.B. 20), Sec. 4.01,

eff. December 4, 2025.