

By: Oliverson, Morales of Maverick,
Bell of Kaufman

H.B. No. 2879

A BILL TO BE ENTITLED

AN ACT

relating to venue in certain actions involving a contract for an improvement to real property.

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

SECTION 1. Subchapter B, Chapter 15, Civil Practice and Remedies Code, is amended by adding Section 15.021 to read as follows:

Sec. 15.021. CONTRACTS FOR IMPROVEMENTS TO REAL PROPERTY.

(a) A venue provision in a contract for an improvement to real property that requires an action involving a contractor, subcontractor, or materialman who is a resident of this state to be brought outside this state is void as a matter of public policy.

(b) To the extent that a venue provision in a contract is void under this section, unless the parties stipulate to another venue after the dispute arises, an action arising out of the contract shall be brought only in this state in the county in which:

(1) the defendant resides;

(2) the cause of action accrued; or

(3) the property that is the subject of the litigation is located.

SECTION 2. The change in law made by this Act applies only to a contract entered into on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 2023.