

By: Vasut, Slawson, Murr, Gervin-Hawkins,
et al.

H.B. No. 2965

Substitute the following for H.B. No. 2965:

By: Leach

C.S.H.B. No. 2965

A BILL TO BE ENTITLED

AN ACT

relating to certain construction liability claims concerning
public buildings and public works.

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

SECTION 1. Section 2272.002(b), Government Code, is amended
to read as follows:

(b) This chapter does not apply to:

(1) a claim for personal injury, survival, or wrongful
death;

(2) a claim involving the construction of residential
property covered under Chapter 27, Property Code;

(3) a contract entered into by the Texas Department of
Transportation;

(4) a project that receives money from a state or
federal highway fund; or

(5) a contract entered into by a river authority [~~a
civil works project as defined by Section 2269.351~~].

SECTION 2. Chapter 2272, Government Code, is amended by
adding Section 2272.0025 to read as follows:

Sec. 2272.0025. WAIVER PROHIBITED. This chapter may not be
waived. A purported waiver of this chapter in violation of this
section is void.

SECTION 3. The change in law made by this Act applies only
to a cause of action that accrues on or after the effective date of

1 this Act under a contract entered into on or after the effective
2 date of this Act. A cause of action that accrued before the
3 effective date of this Act or that accrues on or after the effective
4 date of this Act under a contract entered into before the effective
5 date of this Act is governed by the law as it existed immediately
6 before the effective date of this Act, and that law is continued in
7 effect for that purpose.

8 SECTION 4. This Act takes effect September 1, 2023.