

By: Vasut

H.B. No. 2965

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to certain construction liability claims concerning  
3 public buildings and public works.

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

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

7 (b) This chapter does not apply to:

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

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

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

14 (4) a project that receives money from a state or  
15 federal highway fund[~~, or~~

16 [~~(5) a civil works project as defined by Section~~  
17 ~~2269.351]~~.

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

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

23 SECTION 3. The change in law made by this Act applies only  
24 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.