

By: LaMantia

S.B. No. 2179

A BILL TO BE ENTITLED

1 AN ACT
2 relating to liability of professional entities performing
3 construction monitoring and inspection services for the Texas
4 Department of Transportation.

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

6 SECTION 1. Chapter 97, Civil Practice and Remedies Code, is
7 amended by adding Section 97.003 to read as follows:

8 Sec. 97.003. LIMIT ON LIABILITY OF CONSTRUCTION MONITORING
9 AND INSPECTION SERVICES. A professional entity or an officer or
10 employee of a professional entity that provides services as a
11 consultant or subconsultant of the Texas Department of
12 Transportation to monitor and inspect the progress of work on a
13 transportation construction or maintenance project performed by a
14 private contractor and report to the department regarding the
15 contractor's compliance with the department's requirements for the
16 project is not liable to a claimant for personal injury, property
17 damage, or death arising from an action performed in the course and
18 scope of the entity's consulting duties with respect to the
19 project.

20 SECTION 2. The change in law made by this Act applies only to
21 a cause of action that accrues on or after the effective date of
22 this Act.

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