

By: Kuempel

H.B. No. 1699

Substitute the following for H.B. No. 1699:

By: King

C.S.H.B. No. 1699

A BILL TO BE ENTITLED

AN ACT

relating to the liability of highway, road, and street contractors.

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

SECTION 1. Chapter 97, Civil Practice and Remedies Code, is amended by adding Section 97.002 to read as follows:

Sec. 97.002. LIMIT ON LIABILITY OF HIGHWAY, ROAD, AND STREET CONTRACTORS. (a) In this section, "governmental unit" has the meaning assigned that term by Section 101.001.

(b) A contractor who constructs, repairs, or maintains a highway, road, or street for a governmental unit is not liable to a person for personal injury, property damage, or death arising from the performance of the construction, repair, or maintenance if, at the time of the personal injury, property damage, or death, the contractor is in substantial compliance with all contract documents for the construction, repair, or maintenance.

SECTION 2. The heading to Chapter 97, Civil Practice and Remedies Code, is amended to read as follows:

CHAPTER 97. LIABILITY OF PERSONS PROVIDING SERVICES FOR A GOVERNMENTAL UNIT [~~CORRECTIONAL FACILITIES AND OFFICERS BARRED FOR CERTAIN ACTS OF INMATES~~]

SECTION 3. The heading to Section 97.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 97.001. LIABILITY OF CORRECTIONAL FACILITIES AND OFFICERS BARRED FOR CERTAIN ACTS OF INMATES.

1 SECTION 4. This Act takes effect September 1, 2003, and
2 applies only to a cause of action that accrues on or after that
3 date. An action that accrued before the effective date of this Act
4 is governed by the law applicable to the action immediately before
5 the effective date of this Act, and that law is continued in effect
6 for that purpose.