

By: Hardcastle

H.B. No. 2767

A BILL TO BE ENTITLED

AN ACT

relating to disclosure requirements for residential foundations in certain areas.

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

SECTION 1. Subtitle C, Title 7, Local Government Code, is amended by adding Chapter 247 to read as follows:

CHAPTER 247. REGULATING RESIDENTIAL FOUNDATIONS IN CERTAIN AREAS

Sec. 247.001. APPLICABILITY. (a) Except as provided by Subsection (b), this chapter applies to a residential foundation in the following counties:

(1) Bastrop;

(2) Bell;

(3) Bexar;

(4) Bosque;

(5) Caldwell;

(6) Collin;

(7) Comal;

(8) Cooke;

(9) Dallas;

(10) Denton;

(11) Ellis;

(12) Grayson;

(13) Guadalupe;

(14) Hays;

- 1 (15) Hill;
- 2 (16) Hunt;
- 3 (17) Johnson;
- 4 (18) Kaufman;
- 5 (19) Limestone;
- 6 (20) McLennan;
- 7 (21) Milam;
- 8 (22) Navarro;
- 9 (23) Robertson;
- 10 (24) Rockwall;
- 11 (25) Tarrant;
- 12 (26) Travis; and
- 13 (27) Williamson.

14 (b) a residential foundation is exempt from this chapter, if
15 an engineer licensed under Chapter 1001, Occupations Code,
16 certifies that the soil on which the foundation is to be constructed
17 does not contain expansive soils.

18 Sec. 247.002. DISCLOSURE REQUIRED. (a) In this section,
19 "contractor" has the meaning assigned by Section 27.001, Property
20 Code.

21 (b) The contractor of a residence must:

22 (1) provide the purchaser written notice indicating
23 that the site of construction is likely to contain expansive soils;
24 and

25 (2) provide the purchaser with a copy of a publication
26 that details the problems associated with expansive soils, the
27 building methods used to address those problems during construction,

1 and suggestions for care and maintenance to address those problems.

2 SECTION 2. (a) This Act takes effect September 1, 2003.

3 (b) Chapter 247, Property Code, as added by this Act,
4 applies only to a contract for construction of a residence entered
5 into on or after the effective date of this Act.