

By: Leibowitz

H.B. No. 325

A BILL TO BE ENTITLED

AN ACT

relating to construction projects employing undocumented workers.

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

SECTION 1. Sections 426.001(b) and (c), Property Code, are amended to read as follows:

(b) This subtitle does not apply to a dispute:

(1) arising out of:

(A) [~~(1)~~] an alleged violation of Section 27.01, Business & Commerce Code;

(B) [~~(2)~~] a builder's wrongful abandonment of an improvement project before completion; or

(C) [~~(3)~~] a violation of Chapter 162; or

(2) in which:

(A) the builder or any subcontractor employs an undocumented worker for the construction project that is the subject of the dispute; and

(B) the builder has registered 100 homes or more with the commission during the commission's previous fiscal year.

(c) For the purposes of this section:

(1) "Damage[~~,"~~ "damage] to goods" does not include damage to a home.

(2) "Undocumented worker" means a person who is not lawfully entitled to be present and employed in the United States.

SECTION 2. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2007.