

By: Lucio

S.B. No. 1707

A BILL TO BE ENTITLED

AN ACT

1
2 relating to civil liability for persons performing certain
3 investigative services without a required license.

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

5 SECTION 1. Subchapter F, Chapter 1702, Occupations Code, is
6 amended by adding Section 1702.135 to read as follows:

7 Sec. 1702.135. STRICT LIABILITY. A person who performs a
8 service described by Section 1702.104 without holding, at the time
9 of performing the service, a valid investigations company license
10 issued under this subchapter, and who is not exempt from the
11 licensing requirements of this subchapter, is strictly liable for
12 damages for personal injury, death, or property damage arising from
13 the service and for actual damages suffered as a direct result of
14 publishing or disseminating in any manner information gathered
15 during the service.

16 SECTION 2. The change in law made by this Act applies only
17 to liability for an event occurring on or after the effective date
18 of this Act. Liability for an event occurring before the effective
19 date of this Act is governed by the law in effect when the event
20 occurred, and that law is continued in effect for that purpose.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2007.