

By: Solomons

H.B. No. 669

A BILL TO BE ENTITLED

AN ACT

relating to liability arising out of the filing of a mechanic's, contractor's, or materialman's lien.

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

SECTION 1. Section 12.002, Civil Practice and Remedies Code, is amended by adding Subsection (c) to read as follows:

(c) A person claiming a lien under Chapter 53, Property Code, or the claimant's representative, is not liable under this section for the making, presentation, or use of a document or other record in connection with the assertion of the claim if:

(1) the claimant or the representative who makes, presents, or uses the document believes in good faith the lien is valid; or

(2) the lien is invalid only because of a technical error or omission in the document or other record being made, presented, or used.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrues before the effective date of this Act is governed by the law in effect immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.