

1-1 By: Parker (Senate Sponsor - Estes) H.B. No. 2223
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on Business
1-4 and Commerce; May 22, 2009, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 22, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to notice to certain homeowners regarding residential
1-9 construction warranties.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 409, Property Code, is amended by adding
1-12 Section 409.005 to read as follows:

1-13 Sec. 409.005. WARRANTY NOTICE. Nine months after the
1-14 registration of a home under Section 426.003, the commission shall
1-15 send to the home's record owner a notice that:

1-16 (1) describes the warranty provisions applicable to
1-17 the home under Chapter 430, including the warranty periods; and

1-18 (2) informs the owner that:

1-19 (A) the owner must file a request for state
1-20 inspection and dispute resolution to pursue a civil action for
1-21 damages or other relief arising from a construction defect; and

1-22 (B) the request must be filed on or before the
1-23 90th day after the date the applicable warranty period expires.

1-24 SECTION 2. Section 409.005, Property Code, as added by this
1-25 Act, applies only to a home registered under Section 426.003,
1-26 Property Code, on or after January 1, 2009.

1-27 SECTION 3. This Act takes effect September 1, 2009.

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