

By: Leibowitz

H.B. No. 3826

A BILL TO BE ENTITLED

AN ACT

relating to certain disputes involving residential construction projects employing undocumented workers.

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

SECTION 1. Section 426.001, Property Code, is amended by amending Subsection (c) and adding Subsection (b-1) to read as follows:

(b-1) Chapters 426 through 429 do not apply to a dispute if:

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

(2) the builder has registered 100 homes or more with the commission during the commission's preceding 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 a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.