

1-1 By: Eltife, et al. S.B. No. 1353
1-2 (In the Senate - Filed March 9, 2011; March 22, 2011, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 7, 2011, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 7, 2011, sent to printer.)

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

1-8 relating to certain claims against persons licensed as real estate
1-9 brokers and salespersons.

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

1-11 SECTION 1. Section 17.49, Business & Commerce Code, is
1-12 amended by adding Subsection (i) to read as follows:

1-13 (i) Nothing in this subchapter shall apply to a claim
1-14 against a person licensed as a broker or salesperson under Chapter
1-15 1101, Occupations Code, arising from an act or omission by the
1-16 person while acting as a broker or salesperson.

1-17 SECTION 2. Subsection (i), Section 17.49, Business &
1-18 Commerce Code, as added by this Act, applies only to a claim arising
1-19 from an act or omission that occurs on or after the effective date
1-20 of this Act. A claim arising from an act or omission that occurred
1-21 before the effective date of this Act is governed by the law in
1-22 effect on the date the act or omission occurred, and the former law
1-23 is continued in effect for that purpose.

1-24 SECTION 3. This Act takes effect immediately if it receives
1-25 a vote of two-thirds of all the members elected to each house, as
1-26 provided by Section 39, Article III, Texas Constitution. If this
1-27 Act does not receive the vote necessary for immediate effect, this
1-28 Act takes effect September 1, 2011.

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