

By: Duncan

S.B. No. 397

A BILL TO BE ENTITLED

AN ACT

relating to the statute of limitations for an action on a credit card account.

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

SECTION 1. Subsection (c), Section 16.004, Civil Practice and Remedies Code, is amended to read as follows:

(c) A person must bring suit against his partner for a settlement of partnership accounts, and must bring an action on an open, ~~or~~ stated, or credit card account, or on a mutual and current account concerning the trade of merchandise between merchants or their agents or factors, not later than four years after the day that the cause of action accrues. For purposes of this subsection, the cause of action accrues on the day that the dealings in which the parties were interested together cease or, in the case of a credit card account, the date the account was charged off.

SECTION 2. The change in law made by this Act applies only to the limitations period for an action on a credit card account on which a payment or charge is made on or after the effective date of this Act. The limitations period for an action on a credit card account on which a payment or charge is not made on or after the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

1           SECTION 3.   This Act takes effect September 1, 2013.