

By: Lucio

S.B. No. 499

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the determination of actual damages to enable  
3 compensation from the manufactured homeowners' recovery trust  
4 fund.

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

6 SECTION 1. Subsection (e), Section 1201.405, Occupations  
7 Code, is amended to read as follows:

8 (e) In determining the amount of actual damages under this  
9 section, the director shall make an independent inquiry as to the  
10 damages actually incurred, unless the damages have been previously  
11 established through a [~~by a~~] contested [~~jury~~] trial.

12 SECTION 2. The change in law made by this Act applies only  
13 to a complaint under Subsection (a), Section 1201.406, Occupations  
14 Code, filed on or after the effective date of this Act. A complaint  
15 filed before the effective date of this Act is covered by the law in  
16 effect on the date the complaint was filed, and that law is  
17 continued in effect for that purpose.

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