

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. Section 1201.405(e), Occupations Code, is  
7 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 Section 1201.406(a), Occupations Code, filed  
14 on or after the effective date of this Act. A complaint filed before  
15 the effective date of this Act is covered by the law in effect on the  
16 date the complaint was filed, and that law is continued in effect  
17 for that purpose.

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