

By: Paul

H.B. No. 1757

A BILL TO BE ENTITLED

AN ACT

1
2 relating to liability of an engineer conducting a Texas Windstorm
3 Insurance Association inspection.

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

5 SECTION 1. Subchapter F, Chapter 2210, Insurance Code, is
6 amended by adding Section 2210.260 to read as follows:

7 Sec. 2210.260. LIMITATION OF LIABILITY. An engineer
8 licensed by the Texas Board of Professional Engineers is not liable
9 for damages arising from an inspection conducted under this
10 subchapter for which the engineer has affixed the engineer's seal
11 to an inspection document.

12 SECTION 2. As soon as practicable after the effective date
13 of this Act, the commissioner of insurance shall adopt forms to
14 implement Section 2210.260, Insurance Code, as added by this Act.

15 SECTION 3. The change in law made by this Act applies only
16 to a cause of action that accrues on or after the effective date of
17 this Act. A cause of action that accrues before the effective date
18 of this Act is governed by the law applicable to the cause of action
19 immediately before the effective date of this Act, and that law is
20 continued in effect for that purpose.

21 SECTION 4. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2015.