

By: Raymond

H.B. No. 3079

Substitute the following for H.B. No. 3079:

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C.S.H.B. No. 3079

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the applicability of a statute of limitations to  
3 certain actions to enforce a right or remedy provided by the Texas  
4 Constitution.

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

6 SECTION 1. Section 16.051, Civil Practice and Remedies  
7 Code, is amended to read as follows:

8 Sec. 16.051. RESIDUAL LIMITATIONS PERIOD. Every action for  
9 which there is no express limitations period, except an action for  
10 the recovery of real property and an action to enforce a right or  
11 remedy provided by Section 50(a)(6), Article XVI, Texas  
12 Constitution, must be brought not later than four years after the  
13 day the cause of action accrues.

14 SECTION 2. The amendment by this Act of Section 16.051,  
15 Civil Practice and Remedies Code, is intended to clarify rather  
16 than change existing law. An action to enforce a right or remedy  
17 provided by Section 50(a)(6), Article XVI, Texas Constitution, is  
18 not time barred regardless of when the cause of action accrued and  
19 may be brought on or after the effective date of this Act  
20 notwithstanding any application of a statute of limitations to an  
21 action filed before the effective date of this Act asserting the  
22 same cause of action.

23 SECTION 3. This Act takes effect September 1, 2015.