

By: Bell

H.B. No. 1224

A BILL TO BE ENTITLED

AN ACT

relating to compliance of excavators of underground utilities.

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

SECTION 1. Section 251.157, Utilities Code, is amended by adding Subsection (e) to read as follows:

(e) In a civil action brought against an excavator for damages related to an excavation, the plaintiff must show that the proximate cause of the damages was the excavator's failure to comply with Section 251.151.

SECTION 2. This Act applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law applicable to the cause of action immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.