By: Villalba H.B. No. 1909

Substitute the following for H.B. No. 1909:

By: Shine C.S.H.B. No. 1909

A BILL TO BE ENTITLED

AN ACT

relating to persons entitled to a mechanic's lien on real property.

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

SECTION 1. Section 53.021(c), Property Code, is amended to read as follows:

(c) An architect, engineer, interior designer registered under Chapter 1053, Occupations Code, or surveyor who prepares a plan, design, or plat under or by virtue of a written contract with the owner or the owner's agent, trustee, or receiver in connection with the actual or proposed design, construction, or repair of improvements on real property or the location of the boundaries of real property has a lien on the property.

SECTION 2. Section 53.023, Property Code, is amended to read as follows:

Sec. 53.023. PAYMENT SECURED BY LIEN. The lien secures payment for:

(1) the labor done or material furnished for the construction or repair;

(2) the specially fabricated material, even if the material has not been delivered or incorporated into the construction or repair, less its fair salvage value; or

(3) the preparation of a plan, design, or plat by an architect, engineer, interior designer registered under Chapter 1053, Occupations Code, or surveyor in accordance with Section

53.021(c).

SECTION 3. Section 53.053(a), Property Code, is amended to read as follows:

(a) For purposes of Section 53.052, indebtedness accrues on a contract under which a plan, design, or plat is prepared, labor was performed, materials were furnished, or specially fabricated materials are to be furnished in accordance with this section.

SECTION 4. The changes in law made by this Act apply only to a contract entered into on or after the effective date of this Act. A contract entered into before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

SECTION 5. This Act takes effect September 1, 2017.