

1 AN ACT

2 relating to the creation of a joint interim committee to study
3 issues related to construction contracts.

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

5 SECTION 1. JOINT INTERIM COMMITTEE. (a) A joint interim
6 committee is created to conduct a study under Section 2 of this Act.

7 (b) The joint interim committee is composed of members of
8 the appropriate standing committees of the senate and the house of
9 representatives as determined by the lieutenant governor and the
10 speaker of the house of representatives.

11 (c) The lieutenant governor and speaker of the house of
12 representatives shall each designate a co-chair from among the
13 joint interim committee members, and the joint interim committee
14 shall convene at the joint call of the co-chairs.

15 (d) The joint interim committee has all other powers and
16 duties provided to a special or select committee by the rules of the
17 senate and house of representatives, by Subchapter B, Chapter 301,
18 Government Code, and by policies of the senate and house committees
19 on administration.

20 SECTION 2. INTERIM STUDY. (a) The joint interim committee
21 shall conduct a study on issues relating to construction contracts
22 in this state to the extent the committee determines appropriate.
23 Those issues may include:

- 24 (1) the allocation of liability among persons involved

1 in a construction project;

2 (2) relationships among parties to construction
3 contracts, including property owners, general contractors,
4 subcontractors, and design professionals;

5 (3) liens on real property arising from construction
6 contracts;

7 (4) indemnification and insurance issues;

8 (5) warranties;

9 (6) standards of care for persons involved in
10 construction projects; and

11 (7) civil actions and other forms of dispute
12 resolution arising from construction defects and remedies for
13 construction defects.

14 (b) Not later than December 1, 2018, the joint interim
15 committee shall issue a report on the study required under this
16 section to the lieutenant governor, the speaker of the house of
17 representatives, and the appropriate standing committees of the
18 house of representatives and the senate.

19 SECTION 3. EXPIRATION. The joint interim committee created
20 under Section 1 of this Act is abolished and this Act expires
21 September 1, 2019.

22 SECTION 4. EFFECTIVE DATE. This Act takes effect
23 immediately if it receives a vote of two-thirds of all the members
24 elected to each house, as provided by Section 39, Article III, Texas
25 Constitution. If this Act does not receive the vote necessary for
26 immediate effect, this Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1215 passed the Senate on April 19, 2017, by the following vote: Yeas 29, Nays 2; and that the Senate concurred in House amendments on May 27, 2017, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

I hereby certify that S.B. No. 1215 passed the House, with amendments, on May 24, 2017, by the following vote: Yeas 77, Nays 69, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor