

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

March 9, 2019

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB1737 by Holland (Relating to the statutes of limitation and repose for certain claims involving the construction or repair of an improvement to real property or equipment attached to real property.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code by shortening the statute of limitations from 10 year to 8 years for a suit for certain claims against a licensed architect, engineer, interior designer, landscape architect, or person who constructs or repairs after the completion of an improvement or the beginning of operation of equipment. The bill would set the statute of limitations period to four years for claims related to the discovery of a latent deficiency in real property, improvement, or equipment and extends the limitations by two years from the date a claim is presented if the claim is presented during the initial limitations period. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

The bill would take effect September 1, 2019, and would apply to all contracts for services that commence on or after that date, despite when the contract for services was signed.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: WP, SLE, MW, DA