

By: Johnson

S.B. No. 2113

A BILL TO BE ENTITLED

AN ACT

relating to deadlines and time of inception for mechanic's and  
materialman's liens.

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

SECTION 1. Section 53.003(e), Property Code, is amended to  
read as follows:

(e) In determining the deadline or computing the period of  
days in which to provide a notice or to take any action required  
under this chapter, if the deadline or the last day of the period is  
a Saturday, Sunday, or legal holiday, the period is extended to  
include the next day that is not a Saturday, Sunday, or legal  
holiday.

SECTION 2. Section 53.124(e), Property Code, is amended to  
read as follows:

(e) The time of inception of a lien that is created under  
Section 53.021(3), ~~[(e)]~~ (4) ~~[(a)]~~, or (5) ~~[(e)]~~ is the date of  
recording of an affidavit of lien under Section 53.052. The  
priority of a lien claimed by a person entitled to a lien under  
Section 53.021(3), ~~[(e)]~~ (4) ~~[(a)]~~, or (5) ~~[(e)]~~ with respect to  
other mechanic's liens is determined by the date of recording. A  
lien created under Section 53.021(3), ~~[(e)]~~ (4) ~~[(a)]~~, or (5) ~~[(e)]~~  
is not valid or enforceable against a grantee or purchaser who  
acquires an interest in the real property before the time of  
inception of the lien.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2023.