

By: Cortez

H.B. No. 533

A BILL TO BE ENTITLED

AN ACT

relating to imposing liens for labor and supplies provided by
cleaners.

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

SECTION 1. Sections 53.001(2) and (4), Property Code, are
amended to read as follows:

(2) "Improvement" includes:

(A) a house, building, structure, parking
structure, physical appurtenance, pool, utility, railroad, well,
storage facility, abutting sidewalks and streets, utilities in or
on those sidewalks and streets, land reclaimed from overflow, and
other fixtures or modifications to real property;

(B) clearing, grubbing, draining, or fencing of
land;

(C) machinery or apparatuses used for raising
water or for supplying or storing water for stock, domestic use, or
irrigation;

(D) work described by Section 53.021(4) or (6);
and

(E) a design, drawing, plan, plat, survey, or
specification provided by a licensed architect, engineer, or
surveyor.

(4) "Material" means all or part of:

(A) the material, machinery, fixtures, or tools:

- 1 (i) incorporated into the work;
- 2 (ii) used in the direct performance of the
- 3 work;
- 4 (iii) specially fabricated for an
- 5 improvement; or
- 6 (iv) ordered and delivered for
- 7 incorporation or use;
- 8 (B) rent at a reasonable rate and actual running
- 9 repairs at a reasonable cost for construction equipment used or
- 10 reasonably required and delivered for use in the direct performance
- 11 of the work at the site of the construction or repair; or
- 12 (C) power, water, fuel, ~~and~~ lubricants, and
- 13 cleaning supplies consumed or ordered and delivered for consumption
- 14 in the direct performance of the work.

15 SECTION 2. Section 53.021, Property Code, is amended to

16 read as follows:

17 Sec. 53.021. PERSONS ENTITLED TO LIEN. A person has a lien

18 if the person, under a contract with the owner or the owner's agent,

19 trustee, receiver, contractor, or subcontractor:

20 (1) labors or furnishes labor or materials for

21 construction or repair of an improvement;

22 (2) specially fabricates material, even if the

23 material is not delivered;

24 (3) is a licensed architect, engineer, or surveyor

25 providing services to prepare a design, drawing, plan, plat,

26 survey, or specification;

27 (4) provides labor, plant material, or other supplies

for the installation of landscaping for an improvement, including the construction of a retention pond, retaining wall, berm, irrigation system, fountain, or other similar installation; ~~[or]~~

(5) performs labor as part of, or furnishes labor or materials for, the demolition of an improvement on real property; or

(6) provides labor or other supplies for the interior cleaning of a home or office.

SECTION 3. 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, repair, design, survey, ~~[or]~~ demolition, or cleaning; or

(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.

SECTION 4. 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), (4), (5), or (6) ~~[53.021(c), (d), or (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), (4), (5), or (6) ~~[53.021(c), (d), or (e)]~~ with respect to other mechanic's liens is determined by the date of recording. A lien created under Section 53.021(3), (4), (5), or (6)

1 ~~[53.021(c), (d), or (e)]~~ is not valid or enforceable against a
2 grantee or purchaser who acquires an interest in the real property
3 before the time of inception of the lien.

4 SECTION 5. The changes in law made by this Act apply only to
5 an original contract entered into on or after the effective date of
6 this Act. An original contract entered into before the effective
7 date of this Act is governed by the law as it existed immediately
8 before the effective date of this Act, and that law is continued in
9 effect for that purpose.

10 SECTION 6. This Act takes effect September 1, 2025.