

By: DeAyala

H.B. No. 3353

Substitute the following for H.B. No. 3353:

By: Schofield

C.S.H.B. No. 3353

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the limitation of liability for certain transportation  
3 contractors.

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

5 SECTION 1. Section 97.002, Civil Practice and Remedies  
6 Code, is amended to read as follows:

7 Sec. 97.002. LIMIT ON LIABILITY OF CERTAIN HIGHWAY, ROAD,  
8 AND STREET CONTRACTORS. (a) In this section, "governmental unit"  
9 has the meaning assigned by Section [101.001](#).

10       (b) A contractor who designs, installs, constructs,  
11 maintains, or repairs a highway, road, or street or any device or  
12 system intended for public safety or traffic management installed  
13 on a highway, road, or street for a governmental unit [the Texas  
14 Department of Transportation] is not liable to a claimant for  
15 personal injury, property damage, or death arising from the  
16 performance of the design, installation, construction,  
17 maintenance, or repair if, at the time of the personal injury,  
18 property damage, or death, the contractor is in material compliance  
19 with contract documents material to the condition or defect that  
20 was the proximate cause of the personal injury, property damage, or  
21 death.

22 SECTION 2. The change in law made by this Act applies only  
23 to a cause of action that accrues on or after the effective date of  
24 this Act. A cause of action that accrues before the effective date

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1 of this Act is governed by the law as it existed immediately before  
2 the effective date of this Act, and that law is continued in effect  
3 for that purpose.

4 SECTION 3. This Act takes effect September 1, 2025.