

By: Wentworth

S.B. No. 2141

A BILL TO BE ENTITLED

AN ACT

relating to the statute of repose for engineers and architects.

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

SECTION 1. Section 16.008(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) Notwithstanding any other law, a [A] person must bring suit for damages for a claim listed in Subsection (b) against a registered or licensed architect, engineer, interior designer, or landscape architect in this state, who designs, plans, or inspects the construction of an improvement to real property or equipment attached to real property, not later than 10 years after the substantial completion of the improvement or the beginning of operation of the equipment in an action arising out of a defective or unsafe condition of the real property, the improvement, or the equipment.

SECTION 2. Section 33.004(e), Civil Practice and Remedies Code, is amended to read as follows:

(e) If a person is designated under this section as a responsible third party, a claimant is not barred by limitations from seeking to join that person, even though such joinder would otherwise be barred by limitations, if the claimant seeks to join that person not later than 60 days after that person is designated as a responsible third party. This subsection does not apply to a claim that is barred by Section 16.008(a).

1 SECTION 3. The change in law made by this Act applies only
2 to a cause of action that accrues on or after the effective date of
3 this Act. A cause of action that accrues before the effective date
4 of this Act is governed by the law as it existed immediately before
5 that date, and that law is continued in effect for that purpose.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2009.