

1-1 By: Oliverson, Bell of Kaufman, Morales of Maverick H.B. No. 2879
1-2 (Senate Sponsor - Bettencourt)
1-3 (In the Senate - Received from the House May 8, 2023;
1-4 May 10, 2023, read first time and referred to Committee on
1-5 Jurisprudence; May 17, 2023, reported favorably by the following
1-6 vote: Yeas 5, Nays 0; May 17, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			

1-14 A BILL TO BE ENTITLED
1-15 AN ACT

1-16 relating to venue in certain actions involving a contract for an
1-17 improvement to real property.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subchapter B, Chapter 15, Civil Practice and
1-20 Remedies Code, is amended by adding Section 15.021 to read as
1-21 follows:

1-22 Sec. 15.021. CONTRACTS FOR IMPROVEMENTS TO REAL PROPERTY.

1-23 (a) A venue provision in a contract for an improvement to real
1-24 property that requires an action involving a contractor,
1-25 subcontractor, or materialman who is a resident of this state to be
1-26 brought outside this state is void as a matter of public policy.

1-27 (b) To the extent that a venue provision in a contract is
1-28 void under this section, unless the parties stipulate to another
1-29 venue after the dispute arises, an action arising out of the
1-30 contract shall be brought only in this state in the county in which:

1-31 (1) the defendant resides;

1-32 (2) the cause of action accrued; or

1-33 (3) the property that is the subject of the litigation
1-34 is located.

1-35 SECTION 2. The change in law made by this Act applies only
1-36 to a contract entered into on or after the effective date of this
1-37 Act.

1-38 SECTION 3. This Act takes effect September 1, 2023.

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