

Bill Number: TX81RSB 2141

Date: 05-28-2009

ENROLLED

1 AN ACT
2 relating to the statute of repose for engineers and architects.

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

4 SECTION 1. Section 16.008, Civil Practice and Remedies
5 Code, is amended by amending Subsection (a) and adding Subsection
6 (d) to read as follows:

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

17 (d) This section is a statute of repose. Sections 33.004(a)
18 and (e) do not apply to a claim barred by this section.

19 SECTION 2. The change in law made by this Act applies only
20 to a cause of action that accrues on or after the effective date of
21 this Act. A cause of action that accrues before the effective date
22 of this Act is governed by the law as it existed immediately before

23 that date, and that law is continued in effect for that purpose.

24 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
 2 provided by Section 39, Article III, Texas Constitution. If this
 3 Act does not receive the vote necessary for immediate effect, this
 Act takes effect September 1, 2009.

President of the Senate Speaker of the House

I hereby certify that S.B. No. 2141 passed the Senate on
 May 12, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 2141 passed the House on
 May 27, 2009, by the following vote: Yeas 148, Nays 0, one
 present not voting.

Chief Clerk of the House

Approved:

Date

Governor

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