

BILL ANALYSIS

Senate Research Center

H.B. 1456
By: Goolsby (Cain)
Jurisprudence
5-13-97
Engrossed

DIGEST

Currently, architects and engineers are protected with a 10-year statute of limitation for any suit that is filed against any work that the architect or engineer may have performed. Interior designers and landscape architects are not included in this protection. This bill will provide a statute of limitations for claims against licensed interior designers and landscape architects.

PURPOSE

As proposed, H.B. 1456 provides a statute of limitations for claims against licensed interior designers and landscape architects.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 16.008, Civil Practice and Remedies Code, by amending the heading, as follows:

Sec. 16.008. New heading: ARCHITECTS, ENGINEERS, INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS FURNISHING DESIGN, PLANNING, OR INSPECTION OF CONSTRUCTION OF IMPROVEMENTS.

SECTION 2. Amends Sections 16.008(a) and (c), Civil Practice and Remedies Code, to require a person to bring suit for damages for a claim listed in Subsection (b) against an interior designer or landscape architect in this state within a certain time. Makes conforming changes.

SECTION 3. (a) Effective date: September 1, 1997.

(b) Makes application of this Act retroactive, except as provided by Subsection (c).

(c) Provides that this Act does not apply to a cause of action for which suit is commenced with respect to the cause of action before January 1, 1998.

SECTION 4. Emergency clause.