

BILL ANALYSIS

Senate Research Center
86R4677 BEE-F

S.B. 921
By: West
Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 53.021(c) of the Property Code allows certain registered design professionals who have a contract with an owner to obtain a lien. S.B. 921 simply adds registered interior designers to that list of professionals who can obtain a lien. In addition to a plan or a plat, S.B. 921 adds "design" to the list of items prepared by certain professionals.

As proposed, S.B. 921 amends current law relating to persons entitled to a mechanic's lien on real property.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 53.021(c), Property Code, as follows:

(c) Provides that an architect, engineer, interior designer registered under Chapter 1053 (Interior Designers), Occupations Code, or surveyor who prepares a plan, design, or plat under or by virtue of a written contract with the owner or the owner's agent, trustee, or receiver in connection with the actual or proposed design, construction, or repair of improvements on real property or the location of the boundaries of real property has a lien on the property.

SECTION 2. Amends Section 53.023, Property Code, to make conforming changes.

SECTION 3. Amends Section 53.053(a), Property Code, as follows:

(a) Provides that for the purposes of Section 53.052 (Filing of Affidavit), indebtedness accrues on a contract under which a plan, design, or plat is prepared, labor was performed, materials were furnished, or specially fabricated materials are to be furnished in accordance with this section.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2019.