

1 AN ACT  
2 relating to the liability of certain highway, road, and street  
3 contractors.

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

5 SECTION 1. Chapter 97, Civil Practice and Remedies Code, is  
6 amended by adding Section 97.002 to read as follows:

7 Sec. 97.002. LIMIT ON LIABILITY OF CERTAIN HIGHWAY, ROAD,  
8 AND STREET CONTRACTORS. A contractor who constructs or repairs a  
9 highway, road, or street for the Texas Department of Transportation  
10 is not liable to a claimant for personal injury, property damage, or  
11 death arising from the performance of the construction or repair  
12 if, at the time of the personal injury, property damage, or death,  
13 the contractor is in compliance with contract documents material to  
14 the condition or defect that was the proximate cause of the personal  
15 injury, property damage, or death.

16 SECTION 2. The heading to Chapter 97, Civil Practice and  
17 Remedies Code, is amended to read as follows:

18 CHAPTER 97. LIABILITY OF PERSONS PROVIDING SERVICES FOR A  
19 GOVERNMENTAL UNIT [~~CORRECTIONAL FACILITIES AND OFFICERS BARRED FOR~~  
20 ~~CERTAIN ACTS OF INMATES~~]

21 SECTION 3. The heading to Section 97.001, Civil Practice  
22 and Remedies Code, is amended to read as follows:

23 Sec. 97.001. LIABILITY OF CORRECTIONAL FACILITIES AND  
24 OFFICERS BARRED FOR CERTAIN ACTS OF INMATES.

1           SECTION 4. This Act takes effect September 1, 2003, and  
2 applies only to a cause of action that accrues on or after that  
3 date. An action that accrued before the effective date of this Act  
4 is governed by the law applicable to the action immediately before  
5 the effective date of this Act, and that law is continued in effect  
6 for that purpose.

David Newburn

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 1699 was passed by the House on May 9, 2003, by a non-record vote.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 1699 was passed by the Senate on May 26, 2003, by the following vote: Yeas 31, Nays 0.

Letsy Spaw  
Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
10:30 PM O'CLOCK

JUN 20 2003  
Kevin Shea  
Secretary of State