

FALL 2017 NEWSLETTER

CONSTRUCTION LAW – STATUTORY CHANGES

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Tex Civ & Prac. Code sec. 272.001 and 002 have long protected general contractors and subcontractors from contracts with out of state companies which contract for projects in Texas but required disputes to be decided under the law of a state other than Texas. Such contractual restrictions were made voidable. This Section principally applied to construction or repair of an improvement to real property in Texas. The basic rule was that projects constructed in Texas should be controlled by Texas law.

The amendment to Section 272.001 that went into effect September 1, 2017, broadened this protection to architects, engineers, suppliers, and equipment rental companies with the intent to protect all parties involved in a Texas based construction project.