

Bond Case Briefs

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Byrdson Services, LLC v. South East Texas Regional Planning Commission

Supreme Court of Texas - December 23, 2016 - S.W.3d - 2016 WL 7421392

Contractor brought action against Regional Planning Commission to recover payments allegedly due on contracts funded by Commission, for repairs to homes that were damaged in hurricane.

The 60th District Court denied Commission's plea to jurisdiction. Commission appealed. The Beaumont Court of Appeals reversed. Contractor appealed.

The Supreme Court of Texas held that suit fell within statutory governmental immunity waiver contained in Local Government Code.

Contractor's suit against Regional Planning Commission to recover payments allegedly due on contracts funded by Commission for repairs to homes damaged by hurricane fell within provision of Local Government Code that waived governmental immunity if the contract, among other things, provided goods or services to the local governmental entity. Texas homeowners were primary beneficiaries under contract, but they were not the only beneficiaries, as contract also benefitted the local governmental entity, directly so, providing rebuilding work the entity was obligated to provide itself.