

BILL ANALYSIS

S.B. 1955
By: Hughes
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties raise an issue in which the expunction of a notice of lis pendens is rendered unreliable due to the means by which it is communicated. S.B. 1955 seeks to address this issue by clarifying the effect of a notice of lis pendens and the expunction of such a notice.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1955 amends the Property Code to make the statutory provision relating to the effect of a notice of lis pendens and any information derived from such notice after a certified copy of an order expunging the notice has been recorded also applicable to information that could be derived from the notice and authorizes an interest in the real property, after such recording, to be transferred or encumbered free of all matters asserted or disclosed in the notice and all claims or other matters asserted or disclosed in the action in connection with which the notice was filed.

EFFECTIVE DATE

September 1, 2017.