HOUSE
RESEARCH
ORGANIZATION bill analysis 5/15/89

SB 452
Krier
(P. Hill)

SUBJECT: Property Code revisions

COMMITTEE: Judiciary: favorable, without amendment

VOTE: 6 ayes--S. Thompson, Seidlits, Conley, D. Hudson, Perez, Thomas

0 nays

3 absent--Dutton, Hinojosa, S. Hudson

SENATE VOTE: On final passage, March 30 -- 30-0

WITNESSES: (On companion bill, HB 2148):

For--Patricia Bridwell, Real Estate, Probate and Trust Law section, State Bar of Texas

Against--None

DIGEST: SB 452 would make various technical revisions to the Property Code.

In the sale of real property under a contract lien, only residential debtors, not commercial debtors, would be entitled to an additional 20-day notice.

A condemnor could not begin a new proceeding involving the same condemnation to obtain a lower condemnation award until three years after a county commissioners court had dismissed a prior hearing.

Specific provisions would be added on how information required in a contract to fix a lien on a homestead would be printed. The bill would also add provisions relating to landlords and tenants of commercial rental property and renumber and relocate other Code provisions.

SUPPORTERS SAY: SB 452 would make technical changes to the Property Code recommended by the Real Estate, Probate and Trust section of the State Bar. The bill would correct mistakes made in the code under the omnibus revisions enacted in 1983 and also made by various enactments of the 70th Legislature, such as misnumbering and ambiguous language.

OPPONENTS SAY: No apparent opposition.