

SUBJECT: Filing release of property tax lien with county clerk

COMMITTEE: Ways and Means — committee substitute recommended

VOTE: 7 ayes — Craddick, Ramsay, Grusendorf, Heflin, Horn, Oliveira, Telford
0 nays
4 absent — Holzheuser, Stiles, Thompson, Williamson

WITNESSES: For — Joe Pondrom
Against — None

DIGEST: If a property owner paid all delinquent taxes on a property foreclosed on by a taxing unit for delinquent taxes before the taxing unit sold the property, then CSHB 1610 would require the taxing unit to release its tax lien on the property and to file the release on the lien with the county clerk where the property was located.

The bill would take effect September 1, 1997, and only apply to payment of delinquent taxes on or after that date.

SUPPORTERS SAY: Requiring that the taxing unit file a lien release with the county clerk for delinquent taxes once the back taxes are paid on a confiscated property would ensure that the lien release was properly recorded and save homeowners future potential problems regarding title to their property.

Generally, taxing units send the release to the property owner with instructions that they file it with the county clerk. However, there is no guarantee that the homeowner will actually file the lien release. Many people do not read such documents closely and only note that they are released from a property lien. This bill would help prevent needless headaches by future property sellers and buyers by requiring that taxing units, which are familiar with the procedures involved with making such filings at the county clerk's office, file the release.

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OPPONENTS
SAY: No apparent opposition.

NOTES: The committee substitute made technical changes to the original version of the bill.