

- SUBJECT:** Expanding allowance to sell certain seized property by online auction
- COMMITTEE:** Ways and Means — favorable, without amendment
- VOTE:** 10 ayes — Meyer, Thierry, Button, Cole, Guerra, Martinez Fischer, Murphy, Noble, Sanford, Shine
- 0 nays
- 1 absent — Rodriguez
- WITNESSES:** For — Christopher Young, Linebarger Goggan Blair & Sampson, LLP; (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court; Adam Haynes, Conference of Urban Counties; Charles Reed, Dallas County Commissioners Court; Ender Reed, Harris County Commissioners Court; Clint Magee, Linebarger Goggan Blair & Sampson, LLP; Daniel Gonzalez and Julia Parenteau, Texas Realtors)
- Against — None
- BACKGROUND:** Tax Code sec. 33.25 requires a peace officer who seized personal property under a tax warrant to deliver a written notice stating the time and place of the sale of the property. The posting of the notice and the sale of the property must be conducted:
- in a county with a population under three million and by the peace officer; or
  - in a county with a population of three million or more and by the peace officer or collector, as specified in the warrant, or under an agreement with a licensed auctioneer.
- An agreement with a licensed auctioneer may provide for online bidding and sale.
- DIGEST:** HB 533 would remove the requirement that the posting of notice and sale of property seized under a tax warrant be conducted by a peace officer in a

county with a population under three million. The posting and sale in any county would be conducted by the peace officer or collector, as specified in the warrant, or under an agreement with a licensed auctioneer.

The bill would take effect September 1, 2021, and apply only to a property tax sale of personal property seized under a tax warrant issued on or after that date.

**SUPPORTERS  
SAY:**

HB 533 would extend to all counties, regardless of population, the benefits provided by selling seized property through an online auction. The Legislature previously chose to extend this allowance for the seizure of real property, which has benefited the entire state. Removing the bracket for online auction sales of seized personal property would provide these same benefits and promote consistency for all sales.

**CRITICS  
SAY:**

No concerns identified.