

BILL ANALYSIS

Senate Research Center

S.B. 1530
By: Brown
Jurisprudence
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As Filed

DIGEST

Currently, the law authorizes a co-heir, who has paid all the taxes on inherited property, to force the other co-heir, who refuses to pay taxes, to sell his or her undivided interest to make a demand on the non-paying heir for reimbursement for the shares of taxes which were paid. The law is ambiguous as to what constitutes a demand. This bill clarifies what must be included in the demand for reimbursement and states that demand must be made at least 30 days before the petition for forced sale can be filed.

PURPOSE

As proposed, S.B. 1530 clarifies what must be included in a demand for reimbursement and authorizes the demand to be made at least 30 days before a petition for forced sale can be filed.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 29.002(a), Property Code, to authorize an owner of an undivided interest in real property to petition for a court order requiring another land owner to sell an interest in his or her property if, for at least 30 days before the petition is filed, the petitioner made certain written demands.

SECTION 2. Amends Section 29.003, Property Code, to make conforming changes.

SECTION 3. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 4. Emergency clause.