

BILL ANALYSIS

Senate Research Center
76R1558 CAS-D

H.B. 1174
By: Junell (Duncan)
Jurisprudence
4/23/1999
Engrossed

DIGEST

Currently, a party who is awarded a favorable judgment in small claims court or justice court is not allowed to prepare the abstract judgment. However, a party is allowed to prepare the abstract judgment for any other state court. H.B. 1174 would allow a person or the person's agent, attorney, or assignee to prepare the abstract of judgment for any state court judgment that is rendered in favor of that person.

PURPOSE

As proposed, H.B. 1174 authorizes certain persons to prepare an abstract judgment in an action to establish a lien on real property.

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 52.002(b), Property Code, to authorize a person or certain representatives of the person in whose favor a judgment is rendered in a small claims court, a justice court, or another court to prepare the abstract judgment. Requires the judgment to be verified by the person preparing the abstract.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act retroactive.

SECTION 3. Emergency clause.