

## **BILL ANALYSIS**

Senate Research Center

H.B. 1174  
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Jurisprudence  
4/27/1999  
Committee Report (Amended)

### **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(a), Property Code, to authorize an attorney of a person in whose favor a judgment is rendered in a small claims court or a justice court to prepare an abstract judgment, or on application of that person or of that person's agent, the judge who rendered the judgment shall prepare an abstract judgment.

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

SECTION 3. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

#### SECTION 1.

Amends Section 52.002(a), Property Code, to authorize an attorney, rather than a person, to prepare an abstract judgment, and to authority a person or the person's agent to request an abstract judgment.