

BILL ANALYSIS

Senate Research Center

H.B. 2655
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Economic Development
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Engrossed

DIGEST

Currently, Texas law authorizes a worker in this state who by labor repairs an article, including a vehicle, motorboat, vessel, or outboard motor, to retain possession of the article until the amount due under the contract for the repairs is paid; or if no amount is specified by contract, reasonable and usual compensation. However, current law does not entitle a worker who relinquishes possession of a vehicle, motorboat, vessel, or outboard motor, to the lien provided by Section 70.001 (Worker's Lien), Property Code, if a credit card transaction has been dishonored. H.B. 2655 entitles such a worker to possession of those articles in that event, with an exception.

PURPOSE

As proposed, H.B. 2655 establishes provisions regarding repossession of a motor vehicle for repair charges.

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 Sections 70.001(b), (e), and (f), Property Code, to include a credit card transaction among the forms of payment for which a worker is entitled to possession of certain specified items and provides that the lien set forth under this section continues to exist, if payment is stopped, has been dishonored because of insufficient funds, no funds or because the drawer or maker of the order or the credit card holder has no account or the account upon which it was drawn or the credit card account has been closed. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.