

1-1 By: Shine, Lambert (Senate Sponsor - Bettencourt) H.B. No. 533
 1-2 (In the Senate - Received from the House April 19, 2021;
 1-3 April 20, 2021, read first time and referred to Committee on Local
 1-4 Government; May 5, 2021, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 5, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Menéndez			X	
1-9 Eckhardt	X			
1-10 Gutierrez	X			
1-11 Hall	X			
1-12 Nichols	X			
1-13 Paxton	X			
1-14 Springer	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to ad valorem tax sales of personal property seized under a
 1-20 tax warrant.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 33.25(a) and (b), Tax Code, are amended
 1-23 to read as follows:

1-24 (a) After a seizure of personal property, the collector
 1-25 shall make a reasonable inquiry to determine the identity and to
 1-26 ascertain the address of any person having an interest in the
 1-27 property other than the person against whom the tax warrant is
 1-28 issued. The collector shall provide in writing the name and address
 1-29 of each other person the collector identifies as having an interest
 1-30 in the property to the peace officer charged with executing the
 1-31 warrant. The peace officer shall deliver as soon as possible a
 1-32 written notice stating the time and place of the sale and briefly
 1-33 describing the property seized to the person against whom the
 1-34 warrant is issued and to any other person having an interest in the
 1-35 property whose name and address the collector provided to the peace
 1-36 officer. The posting of the notice and the sale of the property
 1-37 shall be conducted:

1-38 (1) ~~[in a county other than a county to which~~
 1-39 ~~Subdivision (2) applies, by the peace officer in the manner~~
 1-40 ~~required for the sale under execution of personal property; or~~
 1-41 ~~(2) in a county having a population of three million or~~
 1-42 ~~more;~~

1-43 ~~[(A)]~~ by the peace officer or collector, as
 1-44 specified in the warrant, in the manner required for the sale under
 1-45 execution of personal property; or

1-46 (2) ~~[(B)]~~ under an agreement authorized by Subsection
 1-47 (b).

1-48 (b) The commissioners court of a county ~~[having a population~~
 1-49 ~~of three million or more]~~ by official action may authorize a peace
 1-50 officer or the collector for the county charged with selling
 1-51 property under this subchapter by public auction to enter into an
 1-52 agreement with a person who holds an auctioneer's license to
 1-53 advertise the auction sale of the property and to conduct the
 1-54 auction sale of the property. The agreement may provide for on-line
 1-55 bidding and sale.

1-56 SECTION 2. The changes in law made by this Act apply only to
 1-57 an ad valorem tax sale of personal property seized under a tax
 1-58 warrant issued on or after the effective date of this Act. An ad
 1-59 valorem tax sale of personal property seized under a tax warrant
 1-60 issued before the effective date of this Act is governed by the law
 1-61 in effect immediately before the effective date of this Act, and

2-1 that law is continued in effect for that purpose.

2-2 SECTION 3. This Act takes effect September 1, 2021.

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