

By: Hughes

S.B. No. 885

A BILL TO BE ENTITLED

AN ACT

relating to quitclaim deeds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 16.025(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) This section does not apply to a claim based on a quitclaim deed, a forged deed, or a deed executed under a forged power of attorney.

SECTION 2. Chapter 13, Property Code, is amended by adding Section 13.006 to read as follows:

Sec. 13.006. EFFECT OF RECORDING QUITCLAIM DEED. After the fourth anniversary of the date a quitclaim deed for real property is recorded in the deed records of the county in which the real property is located, the quitclaim deed:

(1) does not affect the question of the good faith of a subsequent purchaser or creditor; and

(2) is not notice to a subsequent purchaser or creditor of any unrecorded conveyance of, transfer of, or encumbrance on the real property.

SECTION 3. The change in law made by this Act applies only to a quitclaim deed recorded on or after the effective date of this Act. A quitclaim deed recorded before that date is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2021.