

By: Miles

S.B. No. 1639

A BILL TO BE ENTITLED

AN ACT

relating to remedies for fraud and duress in the conveyance of real property.

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

SECTION 1. Title 4, Property Code, is amended by adding Chapter 31 to read as follows:

CHAPTER 31. FRAUD AND DURESS IN REAL PROPERTY CONVEYANCES

Sec. 31.001. RECOVERY OF TREBLE DAMAGES. (a) This section applies to a civil action to recover damages arising from:

(1) the fraudulent conveyance of real property;

(2) the fraudulent execution of a deed; or

(3) the obtaining of the execution of a deed by a person acting under duress.

(b) A claimant who successfully asserts a claim described by Subsection (a) may recover three times the claimant's actual damages.

SECTION 2. The change in law made by this Act applies only to a cause of action that accrues on or after the effective date of this Act.

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