

1-1 By: Hernandez (Senate Sponsor - Bettencourt) H.B. No. 1382
 1-2 (In the Senate - Received from the House April 11, 2023;
 1-3 April 12, 2023, read first time and referred to Committee on Local
 1-4 Government; May 10, 2023, reported favorably by the following
 1-5 vote: Yeas 9, Nays 0; May 10, 2023, sent to printer.)

1-6 COMMITTEE VOTE

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

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

1-19 relating to the public sale of real property taken in execution of a
 1-20 judgment.

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

1-22 SECTION 1. Section 34.041, Civil Practice and Remedies
 1-23 Code, is amended by adding Subsections (a-1) and (a-2) and amending
 1-24 Subsection (b) to read as follows:

1-25 (a-1) The commissioners court of a county by official action
 1-26 may authorize the officer charged with conducting a public sale of
 1-27 real property taken in execution of a judgment to conduct a public
 1-28 auction using online bidding and sale. The commissioners court may
 1-29 adopt rules governing online auctions authorized under this
 1-30 subsection. Rules adopted by the commissioners court under this
 1-31 subsection take effect on the 90th day after the date the rules are
 1-32 published in the real property records of the county.

1-33 (a-2) Subsection (a-1) does not apply to a sale of real
 1-34 property conducted under Section 51.002, Property Code.

1-35 (b) The commissioners court of a county may designate an
 1-36 area other than an area at the county courthouse where public sales
 1-37 of real property under this chapter will take place that is in a
 1-38 public place within a reasonable proximity of the county courthouse
 1-39 as determined by the commissioners court and in a location as
 1-40 accessible to the public as the courthouse door. The commissioners
 1-41 court shall record that designation in the real property records of
 1-42 the county. A designation by a commissioners court under this
 1-43 section is not a ground for challenging or invalidating any
 1-44 sale. Except for a sale conducted under Subsection (a) or (a-1), a
 1-45 sale must be held at an area designated under this subsection if the
 1-46 sale is held on or after the 90th day after the date the designation
 1-47 is recorded. The commissioners court may by order authorize a
 1-48 county official or employee to identify separate locations within
 1-49 the designated area for the conduct of sales under this section and
 1-50 for the conduct of sales by peace officers under other laws.

1-51 SECTION 2. This Act takes effect September 1, 2023.

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