

By: Leach

H.B. No. 3168

Substitute the following for H.B. No. 3168:

By: Schofield

C.S.H.B. No. 3168

A BILL TO BE ENTITLED

AN ACT

relating to the dormancy of certain judgments.

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

SECTION 1. Sections 34.001(a) and (b), Civil Practice and Remedies Code, are amended to read as follows:

(a) If a writ of execution is not issued or a receiver is not appointed under Section 31.002 within 10 years after the rendition of a judgment of a court of record or a justice court, the judgment is dormant and execution may not be issued on the judgment unless it is revived.

(b) If a writ of execution is issued or a receiver is appointed under Section 31.002 within 10 years after rendition of a judgment but a second writ is not issued or a receiver is not appointed within 10 years after issuance of the first writ or appointment of that receiver, the judgment becomes dormant. A second writ may be issued or receiver appointed at any time within 10 years after issuance of the first writ or receiver appointment.

SECTION 2. (a) The change in law made by this Act applies only to a judgment that:

(1) is not dormant on the effective date of this Act;
and

(2) was entered before, on, or after the effective date of this Act.

(b) A judgment that is dormant on the effective date of this

1 Act is governed by the law applicable to the judgment immediately
2 before the effective date of this Act, and that law is continued in
3 effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2023.