

By: Leach

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 subsequent [~~second~~] writ is not issued or a subsequent receiver is not appointed within 10 years after issuance of that [~~the first~~] writ or appointment of that receiver, the judgment becomes dormant. A subsequent [~~second~~] writ may be issued or subsequent receiver appointed at any time within 10 years after issuance of the previous [~~first~~] writ or appointment of the previous receiver.

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

1 date of this Act.

2 (b) A judgment that is dormant on the effective date of this
3 Act is governed by the law applicable to the judgment immediately
4 before the effective date of this Act, and that law is continued in
5 effect for that purpose.

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