

By: Leach

H.B. No. 3170

A BILL TO BE ENTITLED

AN ACT

relating to the exemption of certain personal property from garnishment, attachment, execution, or other seizure.

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

SECTION 1. Section 42.002(a), Property Code, is amended to read as follows:

(a) The following personal property is exempt under Section 42.001(a):

- (1) home furnishings, including family heirlooms;
- (2) provisions for consumption;
- (3) farming or ranching vehicles and implements;
- (4) tools, equipment, books, and apparatus, including boats and motor vehicles used by a member of a family or single adult in that person's [in a] trade or profession;
- (5) wearing apparel;
- (6) jewelry not to exceed 25 percent of the aggregate limitations prescribed by Section 42.001(a);
- (7) two firearms;
- (8) athletic and sporting equipment, including bicycles;
- (9) a two-wheeled, three-wheeled, or four-wheeled motor vehicle for each member of a family or single adult who holds a driver's license or who does not hold a driver's license but who relies on another person to operate the vehicle for the benefit of

1 the nonlicensed person, provided that:

2 (A) the vehicle:

3 (i) may be legally operated on a public
4 highway of this state;

5 (ii) is registered as required by Section
6 502.040, Transportation Code; and

7 (iii) is not an autocycle as defined by
8 Section 502.005, Transportation Code; and

9 (B) financial responsibility is established for
10 the vehicle as required by Section 601.051, Transportation Code;

11 (10) the following animals and forage on hand for
12 their consumption:

13 (A) two horses, mules, or donkeys and a saddle,
14 blanket, and bridle for each;

15 (B) 12 head of cattle;

16 (C) 60 head of other types of livestock; and

17 (D) 120 fowl; and

18 (11) household pets.

19 SECTION 2. The changes in law made this Act do not apply to
20 property that is, as of the effective date of this Act, subject to a
21 voluntary bankruptcy proceeding or to a valid claim of a holder of a
22 final judgment who has, by levy, garnishment, or other legal
23 process, obtained rights superior to those that would otherwise be
24 held by a trustee in bankruptcy if a bankruptcy petition were then
25 pending against the debtor. That property is subject to the law as
26 it existed immediately before the effective date of this Act, and
27 the prior law is continued in effect for that purpose.

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