

By: Riddle

H.B. No. 1871

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the date for a sale of real property under a contract  
3 lien.

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

5 SECTION 1. Section 51.002(a), Property Code, is amended to  
6 read as follows:

7 (a) A sale of real property under a power of sale conferred  
8 by a deed of trust or other contract lien must be a public sale at  
9 auction held between 10 a.m. and 4 p.m. of the third [~~first~~] Tuesday  
10 of a month. The sale must take place at the county courthouse in the  
11 county in which the land is located, or if the property is located  
12 in more than one county, the sale may be made at the courthouse in  
13 any county in which the property is located. The commissioners  
14 court shall designate the area at the courthouse where the sales are  
15 to take place and shall record the designation in the real property  
16 records of the county. The sale must occur in the designated area.  
17 If no area is designated by the commissioners court, the notice of  
18 sale must designate the area at the courthouse where the sale  
19 covered by that notice is to take place, and the sale must occur in  
20 that area.

21 SECTION 2. This Act takes effect September 1, 2003, and  
22 applies only to a public sale notice of which is posted on or after  
23 the effective date of this Act. A public sale notice of which is  
24 posted before the effective date of this Act is governed by the law

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1 in effect at the time the notice of sale was posted, and the former  
2 law is continued in effect for that purpose.