

Suspending limitations on conference committee
jurisdiction, H.B. 1493 (Solomons/Armbrister)

By: Solomons

H.R. No. 1713

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of
2 Texas, 78th Legislature, Regular Session, 2003, That House Rule 13,
3 Section 9(a), be suspended in part as provided by House Rule 13,
4 Section 9(f), to enable the conference committee appointed to
5 resolve the differences on House Bill No. 1493, relating to the
6 foreclosure of property and the authority of a mortgage servicer to
7 administer the foreclosure on behalf of a mortgagee, to consider
8 and take action on the following matter:

9 House Rule 13, Section 9(a)(1), is suspended to permit the
10 committee to amend text that is not in disagreement in Section
11 51.009, Property Code, as added by the bill, by adding the phrase
12 "except as to warranties of title", so that the section reads as
13 follows:

14 Sec. 51.009. FORECLOSED PROPERTY SOLD "AS IS." A purchaser
15 at a sale of real property under Section 51.002:

16 (1) acquires the foreclosed property "as is" without
17 any expressed or implied warranties, except as to warranties of
18 title, and at the purchaser's own risk; and

19 (2) is not a consumer.

20 Explanation: The changed text is necessary to clarify that
21 any warranties of title granted in a foreclosure sale under Section
22 51.002, Property Code, are valid.