

By: Goolsby

H.B. No. 1733

Substitute the following for H.B. No. 1733:

By: Solomons

C.S.H.B. No. 1733

A BILL TO BE ENTITLED

AN ACT

relating to a structure that is considered a homestead exempt from seizure for certain claims.

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

SECTION 1. Section 41.002, Property Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) A structure not affixed to land, including a manufactured home or a houseboat, that is designed or adapted for human residence, is used as a residence, and is occupied by the homestead claimant as the claimant's principal residence is a homestead. Section 2.001(a) or a similar statute does not affect a homestead designation under this subsection.

SECTION 2. The change in law made by this Act takes effect January 1, 2008, but only if the constitutional amendment proposed by the 80th Legislature, Regular Session, 2007, providing that certain structures not affixed to land be considered homesteads protected from certain types of forced sale is approved by the voters. If that amendment is not approved by the voters, the Act has no effect.