

SENATE AMENDMENTS

2nd Printing

By: Raymond, Homer, Swinford, Chisum,
Cook of Colorado, et al.

H.B. No. 167

A BILL TO BE ENTITLED

AN ACT

relating to exempting a religious bible from attachment, execution,
or other seizure for the satisfaction of debts.

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

SECTION 1. Sections 42.001(b) and (c), Property Code, are
amended to read as follows:

(b) The following personal property is exempt from seizure
and is not included in the aggregate limitations prescribed by
Subsection (a):

(1) current wages for personal services, except for
the enforcement of court-ordered child support payments;

(2) professionally prescribed health aids of a debtor
or a dependent of a debtor; ~~and~~

(3) alimony, support, or separate maintenance
received or to be received by the debtor for the support of the
debtor or a dependent of the debtor; and

(4) a religious bible or other book containing sacred
writings of a religion.

(c) Except as provided by Subsection (b)(4), this ~~[This]~~
section does not prevent seizure by a secured creditor with a
contractual landlord's lien or other security in the property to be
seized.

SECTION 2. The changes in law made by this Act do not apply
to property that is, as of the effective date of this Act, subject

1 to a voluntary bankruptcy proceeding or to valid claims of a holder
2 of a final judgment who has, by levy or other legal process,
3 obtained rights superior to those that would otherwise be held by a
4 trustee in bankruptcy if a bankruptcy petition were then pending
5 against the debtor. That property is subject to the law as it
6 existed immediately before the effective date of this Act, and the
7 prior law is continued in effect for that purpose.

8 SECTION 3. This Act takes effect September 1, 2007.

ADOPTED

MAY 15 2007

Leticia Spaw
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: Hinojosa

Amend H.B. No. 167 (Senate Committee Printing) as follows:

(1) In SECTION 1, strike the recital (page 1, lines 11-12) and substitute the following:

Section 42.001, Property Code, is amended by amending Subsections (b) and (c) and adding Subsection (e) to read as follows:

(2) In SECTION 1, in amended Subsection (b), Section 42.001, Property Code (page 1, line 24), between "religion" and the period, insert the following:

that is seized by a creditor other than a lessor of real property who is exercising the lessor's contractual or statutory right to seize personal property after a tenant breaches a lease agreement for or abandons the real property

(3) In SECTION 1, following amended Subsection (c), Section 42.001, Property Code (page 1, between lines 28 and 29), insert the following:

(e) A religious bible or other book described by Subsection (b)(4) that is seized by a lessor of real property in the exercise of the lessor's contractual or statutory right to seize personal property after a tenant breaches a lease agreement for the real property or abandons the real property may not be included in the aggregate limitations prescribed by Subsection (a).

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 9, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB167 by Raymond (Relating to exempting a religious bible from attachment, execution, or other seizure for the satisfaction of debts.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KJG, SD, MN

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

Revision 1

March 12, 2007

TO: Honorable David Swinford, Chair, House Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB167 by Raymond (Relating to exempting a religious bible from attachment, execution, or other seizure for the satisfaction of debts.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, KJG, SD, MN

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 14, 2007

TO: Honorable David Swinford, Chair, House Committee on State Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB167 by Raymond (Relating to exempting a religious bible from attachment, execution, or other seizure for the satisfaction of debts.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

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LBB Staff: JOB, KJG, SD, MN