

House Bill 167
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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.

SENATE VERSION

SECTION 1. Section 42.001, Property Code, is amended by amending Subsections (b) and (c) and adding Subsection (e) 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 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.

(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.

(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).

CONFERENCE

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HOUSE VERSION

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

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

SENATE VERSION

Same as House version.

Same as House version.

CONFERENCE