

By: Kuempel

H.B. No. 2188

A BILL TO BE ENTITLED

AN ACT

relating to certain affidavits filed for recording in real or personal property records.

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

SECTION 1. Chapter 12, Property Code, is amended by adding Section 12.0012 to read as follows:

Sec. 12.0012. FILING OF CERTAIN AFFIDAVITS WITHOUT ACCOMPANYING INSTRUMENT. An affidavit purporting to relate to a paper document concerning real or personal property, as required by Section 12.0011, that is not attached to a paper document concerning real or personal property may not be recorded or serve as notice of the paper document. A county clerk is not required to accept an affidavit described by this section.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.