

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 12, 2011**

**TO:** Honorable Jim Jackson, Chair, House Committee on Judiciary & Civil Jurisprudence

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

**IN RE: HB1111** by Hartnett (relating to a tenant's failure to pay rent during an appeal of an eviction for nonpayment of rent after filing a pauper's affidavit.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Property Code to establish procedures for appealing a residential eviction suit for failure to pay rent if a tenant files a pauper's affidavit. A justice court would be required to issue a writ of possession, without hearing, on the filing of a notice of default by the appellee and may be executed immediately. A sheriff or constable would be required to execute the writ as soon as practicable.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, JT, JB