

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

May 18, 2011

TO: Honorable Chris Harris, Chair, Senate Committee on 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 2nd 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 that 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, TP, JB