

By: Parker

H.B. No. 2595

A BILL TO BE ENTITLED

AN ACT

relating to the value of personal property that is exempt from seizure to pay a crime victim under an order of restitution.

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

SECTION 1. Section 42.001, Property Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsection (a-1), personal ~~Personal~~ property, as described in Section 42.002, is exempt from garnishment, attachment, execution, or other seizure if:

(1) the property is provided for a family and has an aggregate fair market value of not more than \$60,000, exclusive of the amount of any liens, security interests, or other charges encumbering the property; or

(2) the property is owned by a single adult, who is not a member of a family, and has an aggregate fair market value of not more than \$30,000, exclusive of the amount of any liens, security interests, or other charges encumbering the property.

(a-1) In an action to enforce an order of restitution issued under Article 42.037, Code of Criminal Procedure, personal property, as described in Section 42.002, is exempt from garnishment, attachment, execution, or other seizure if:

(1) the property is provided for a family and has an aggregate fair market value of not more than \$20,000, exclusive of

1 the amount of any liens, security interests, or other charges
2 encumbering the property; or

3 (2) the property is owned by a single adult, who is not
4 a member of a family, and has an aggregate fair market value of not
5 more than \$10,000, exclusive of the amount of any liens, security
6 interests, or other charges encumbering the property.

7 SECTION 2. Section 42.001(a-1), Property Code, as added by
8 this Act, applies only to an order of restitution for an offense
9 committed on or after the effective date of this Act. An order of
10 restitution for an offense committed before the effective date of
11 this Act is governed by the law in effect on the date the offense was
12 committed, and the former law is continued in effect for that
13 purpose. For purposes of this section, an offense was committed
14 before the effective date of this Act if any element of the offense
15 occurred before that date.

16 SECTION 3. This Act takes effect September 1, 2013.