

By: Parker

H.B. No. 2749

A BILL TO BE ENTITLED

AN ACT

relating to promulgation by the supreme court of standard forms for use in certain expedited foreclosure proceedings.

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

SECTION 1. Subchapter A, Chapter 22, Government Code, is amended by adding Section 22.018 to read as follows:

Sec. 22.018. PROMULGATION OF FORMS FOR CERTAIN EXPEDITED FORECLOSURE PROCEEDINGS. (a) The supreme court shall promulgate the following forms for use in expedited foreclosure proceedings described by Section 50(r), Article XVI, Texas Constitution:

(1) a form for application for an expedited foreclosure proceeding;

(2) a form for a supporting affidavit; and

(3) a form for any court-required citation.

(b) A trial court or court clerk may not refuse to accept a form promulgated by the supreme court under this section filed by an attorney licensed in this state.

(c) A court may not refuse the relief sought in an application for an expedited foreclosure proceeding described by Section 50(r), Article XVI, Texas Constitution, on the basis of any formal defect in a filed form that substantially complies with a form promulgated under this section.

SECTION 2. Not later than March 1, 2014, the Texas Supreme Court shall promulgate the forms required by Section 22.018,

1 Government Code, as added by this Act.

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