

BILL ANALYSIS

H.B. 2710
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Ways & Means
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In certain property tax suits, interested parties note, the court appoints an attorney ad litem to represent the interests of property owners. The parties suggest that these attorneys currently face no accountability with regard to whether an attempt was made to locate and advise unknown property owners or the heirs of deceased property owners and defend their property against claims of the government. H.B. 2710 seeks to provide for a measure of accountability by requiring attorneys ad litem to submit a certain report to the court.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2710 amends the Tax Code to require an attorney ad litem appointed by a court in a suit to collect a delinquent property tax to represent the interests of a defendant served with process by means of citation by publication or posting to submit to the court a report describing the actions taken by the attorney ad litem to locate and represent the interests of the defendant. The bill prohibits the court from approving the fees of the attorney ad litem until the attorney ad litem submits the report and the court determines that the actions taken by the attorney ad litem as described in the report were sufficient to discharge the attorney's duties to the defendant.

EFFECTIVE DATE

September 1, 2015.