

By: Davis of Dallas

H.B. No. 1002

A BILL TO BE ENTITLED

AN ACT

relating to disclosure of home mortgage information to a surviving spouse.

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

SECTION 1. Subchapter B, Chapter 343, Finance Code, is amended by adding Section 343.103 to read as follows:

Sec. 343.103. DISCLOSURE OF MORTGAGE INFORMATION TO SURVIVING SPOUSE. (a) In this section, "mortgage servicer" and "mortgagor" have the meanings assigned by Section 51.0001, Property Code.

(b) Not later than the 30th day after a mortgage servicer of a home loan receives a request for the information from the surviving spouse of a mortgagor of the home loan, accompanied by the proof required under Subsection (c), the mortgage servicer shall provide the surviving spouse with information including:

(1) documentation regarding the promissory note;

(2) balance information; and

(3) other information the mortgage servicer provided to the mortgagor.

(c) A surviving spouse must prove the person's status by providing:

(1) a death certificate of the mortgagor; and

(2) an affidavit stating the surviving spouse was married to the mortgagor at the time of the mortgagor's death.

1 SECTION 2. This Act takes effect September 1, 2015.