

By: Schofield

H.B. No. 3364

A BILL TO BE ENTITLED

AN ACT

relating to the appeal of a judgment in an eviction suit.

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

SECTION 1. Section 24.007, Property Code, is amended to read as follows:

Sec. 24.007. APPEAL. A final judgment of a county court in an eviction suit may not be appealed on the issue of possession unless the premises in question are being used for residential purposes only. ~~[(a)]~~ A judgment of a county court ~~[in an eviction suit]~~ may not under any circumstances be stayed pending appeal unless, within 10 days of the signing of the judgment, the appellant files a supersedeas bond in an amount set by the county court. In setting the supersedeas bond the county court shall provide protection for the appellee to the same extent as in any other appeal, taking into consideration the value of rents likely to accrue during appeal, damages which may occur as a result of the stay during appeal, and other damages or amounts as the court may deem appropriate.

~~[(b) Notwithstanding any other law, an appeal may be taken from a final judgment of a county court, statutory county court, statutory probate court, or district court in an eviction suit.]~~

SECTION 2. The change in law made by this Act applies to an appeal of a final judgment rendered on or after the effective date of this Act. An appeal of a final judgment rendered before the

1 effective date of this Act is governed by the law in effect on the
2 date the judgment was rendered, and the former law is continued in
3 effect for that purpose.

4 SECTION 3. This Act takes effect January 1, 2016.