

1-1 By: Schofield (Senate Sponsor - Bettencourt) H.B. No. 3364
 1-2 (In the Senate - Received from the House May 13, 2015;
 1-3 May 14, 2015, read first time and referred to Committee on State
 1-4 Affairs; May 22, 2015, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10			X	
1-11	X			
1-12	X			
1-13			X	
1-14			X	
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the appeal of a judgment in an eviction suit.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 24.007, Property Code, is amended to
 1-22 read as follows:

1-23 Sec. 24.007. APPEAL. A final judgment of a county court in
 1-24 an eviction suit may not be appealed on the issue of possession
 1-25 unless the premises in question are being used for residential
 1-26 purposes only. ~~[(a)] A judgment of a county court [in an eviction~~
 1-27 ~~suit] may not under any circumstances be stayed pending appeal~~
 1-28 ~~unless, within 10 days of the signing of the judgment, the appellant~~
 1-29 ~~files a supersedeas bond in an amount set by the county court. In~~
 1-30 ~~setting the supersedeas bond the county court shall provide~~
 1-31 ~~protection for the appellee to the same extent as in any other~~
 1-32 ~~appeal, taking into consideration the value of rents likely to~~
 1-33 ~~accrue during appeal, damages which may occur as a result of the~~
 1-34 ~~stay during appeal, and other damages or amounts as the court may~~
 1-35 ~~deem appropriate.~~

1-36 ~~[(b) Notwithstanding any other law, an appeal may be taken~~
 1-37 ~~from a final judgment of a county court, statutory county court,~~
 1-38 ~~statutory probate court, or district court in an eviction suit.]~~

1-39 SECTION 2. The change in law made by this Act applies to an
 1-40 appeal of a final judgment rendered on or after the effective date
 1-41 of this Act. An appeal of a final judgment rendered before the
 1-42 effective date of this Act is governed by the law in effect on the
 1-43 date the judgment was rendered, and the former law is continued in
 1-44 effect for that purpose.

1-45 SECTION 3. This Act takes effect January 1, 2016.

1-46 * * * * *