

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 2, 2015

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1334 by Clardy (Relating to the appeal of a residential eviction suit.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Property Code to require a justice court state in a judgment the amount of an appeals bond in a residential eviction suit, a surety bond to include certain information, and if an appeal bond is filed, authorize the opposing party to contest the amount or form of the appeal bond or the financial ability of a surety to pay the bond. The bill would establish procedures for a justice court to determine the sufficiency of the bond or surety. If the court disapproves a bond, the tenant would be permitted to appeal the decision to a county court. The bill would clarify that notices given by the justice court to the tenant would apply to cases appealed on a bond and an affidavit. Under the provisions of the bill, a tenant who files an appeal bond to appeal a conviction for nonpayment of rent would be required to pay an amount determined by the court into the court registry.

The Office of Court Administration reported no significant fiscal impact to the state court system is anticipated.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, FR, SD, EK