

By: Schofield

H.B. No. 2918

Substitute the following for H.B. No. 2918:

By: Smith

C.S.H.B. No. 2918

A BILL TO BE ENTITLED

AN ACT

relating to the collection of certain judgments.

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

SECTION 1. Section 31.002, Civil Practice and Remedies Code, is amended by amending Subsection (f) and adding Subsections (i) and (j) to read as follows:

(f) A court may not enter or enforce an order under this section that requires the turnover of the sales proceeds of, or the disbursement of, property exempt under any statute, including Section 42.0021, Property Code. This subsection does not apply to the enforcement of a child support obligation or a judgment for past due child support.

(i) If a judgment creditor has attempted to satisfy the judgment creditor's judgment and the final money judgment remains unsatisfied, the judgment creditor is entitled to a hearing on the judgment creditor's motion for the court's assistance under this section. If notice of the hearing is provided to the judgment debtor, the court shall appoint a receiver under Subsection (b)(3) to enforce the judgment unless the judgment debtor appears and asserts an applicable exemption.

(j) A court may issue an order under this section without requiring the judgment creditor to prove the existence of specific property.

SECTION 2. The change in law made by this Act applies to the

1 collection of any judgment, regardless of whether the judgment was
2 entered before, on, or after the effective date of this Act.

3 SECTION 3. This Act takes effect September 1, 2021.