

By: Schofield

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. Sec. 31.002(f), Civil Practice and remedies code is amended 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 Texas 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.

SECTION 2. Sec. 31.002, Civil Practice and remedies code is amended by adding new subsections (i) and (j) to read as follows:

(i) In addition to sections (a) and (b) above, if a judgement creditor has attempted to satisfy their judgement and the final money judgment remains unsatisfied, the judgment credit is entitled to a hearing on their application. If notice of the hearing is provided to the judgment debtor, the court shall appoint a receiver to enforce the judgment unless the defendant 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 3. The change in law made by this Act applies to the

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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 4. This Act takes effect September 1, 2021.