

By: Miles

S.B. No. 1875

A BILL TO BE ENTITLED

AN ACT

relating to a requirement for a deed to include a statement regarding certain fraudulent conveyances or recordings.

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

SECTION 1. Subchapter A, Chapter 5, Property Code, is amended by adding Section 5.020 to read as follows:

Sec. 5.020. STATEMENT REGARDING FRAUDULENT CONVEYANCES OR RECORDINGS. (a) A deed conveying an interest in real property located in this state must contain a statement that includes:

(1) a list of offenses under the laws of this state relating to:

(A) the fraudulent conveyance of an interest in real property; and

(B) the fraudulent recording of a deed; and

(2) the criminal penalties associated with offenses listed under Subdivision (1).

(b) The supreme court by rule shall prescribe the form of the statement required under Subsection (a).

SECTION 2. Chapter 12, Property Code, is amended by adding Section 12.020 to read as follows:

Sec. 12.020. RECORDING OF CERTAIN DEEDS PROHIBITED. Notwithstanding any other law, a deed conveying an interest in real property located in this state may not be recorded in the real property records of a county unless the deed contains the statement

1 required by Section 5.020.

2           SECTION 3. Not later than December 1, 2021, the Texas  
3 Supreme Court by rule shall prescribe the form of the statement  
4 required by Section 5.020, Property Code, as added by this Act.

5           SECTION 4. The changes in law made by this Act apply only to  
6 a deed executed on or after the effective date of this Act. A deed  
7 executed before the effective date of this Act is governed by the  
8 law as it existed immediately before the effective date of this Act,  
9 and that law is continued in effect for that purpose.

10           SECTION 5. (a) Except as provided by Subsection (b) of this  
11 section, this Act takes effect January 1, 2022.

12           (b) Section 3 of this Act takes effect September 1, 2021.