

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 17, 2021**

**TO:** Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB2918** by Schofield (Relating to the collection of certain judgments.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Civil Practice and Remedies Code to provide that a court may not enter or enforce an order under Section 31.002 that requires the turnover of the sales proceeds of, or disbursement of, property exempt under any Texas statute. The bill would provide that, if a judgment creditor has attempted to satisfy a judgment and the final money judgment remains unsatisfied, the judgment creditor is entitled to hearing on their application. If notice of the hearing is provided to the judgment creditor, the court would be required to appoint a receiver to enforce the judgment unless the defendant appears and asserts an applicable exemption. The bill would allow a court to issue an order under Section 31.002 without requiring the judgment creditor to prove the existence of specific property.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

**Local Government Impact**

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

**Source Agencies:** 212 Office of Court Admin

**LBB Staff:** JMc, SLE, BH