

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

May 18, 2021

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB3115 by Shine (Relating to the release of a judgment lien on homestead property.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Property Code to provide that a judgment debtor may file, at any time, a certificate of mailing that substantially complies with Section 52.0012(g). The bill would provide that a judgment debtor who files the affidavit must send a letter notifying the judgment creditor of the filing of the affidavit and a copy of the filed affidavit to certain addresses. The bill would provide that, if a judgment debtor has filed a certificate of mailing and a contradicting affidavit is not filed, a bona fide purchaser or mortgagee and similarly situated individuals can rely conclusively on the affidavit for the 90-day period that begins on the 31st day after the certificate of mailing was filed.

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, SZ, BH