

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Huberty

H.B. No. 900

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the liability of a landlord for damages resulting from  
3 the execution of a writ of possession in an eviction suit.

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

5 SECTION 1. Section 24.0061, Property Code, is amended by  
6 adding Subsection (i) to read as follows:

7 (i) A landlord is not liable for damages to the tenant  
8 resulting from the execution of a writ of possession by an officer  
9 under this section.

10 SECTION 2. Section 24.0061(i), Property Code, as added by  
11 this Act, applies only to the execution of a writ of possession  
12 issued in an eviction suit filed on or after the effective date of  
13 this Act. Execution of a writ of possession issued in an eviction  
14 suit filed before the effective date of this Act is governed by the  
15 law in effect immediately before the effective date of this Act, and  
16 that law is continued in effect for that purpose.

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

**ADOPTED**

MAY 22 2021

*Lately Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

1 Amend H.B. No. 900 (senate committee printing) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Chapter 24, Property Code, is amended by  
5 adding Section 24.012 to read as follows:

6 Sec. 24.012. MUNICIPAL OR COUNTY REGULATION OF EVICTIONS  
7 PROHIBITED. Notwithstanding any other law, a municipality or  
8 county may not adopt or enforce an ordinance, order, or other  
9 regulation that:

10 (1) delays, prohibits, or restricts the execution of a  
11 writ of possession or a suit to evict a tenant under this chapter;  
12 and

13 (2) has the effect of causing financial damages to a  
14 landlord.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**May 24, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

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

**IN RE: HB900** by Huberty (Relating to the liability of a landlord for damages resulting from the execution of a writ of possession in an eviction suit.), **As Passed 2nd House**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, LBO, CMA, SZ, DPE, SLE

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**May 14, 2021**

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

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

**IN RE: HB900** by Huberty (Relating to the liability of a landlord for damages resulting from the execution of a writ of possession in an eviction suit.), **As Engrossed**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, SZ, DPE, SLE, CMA

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

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

**March 16, 2021**

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

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

**IN RE: HB900** by Huberty (Relating to the liability of a landlord for damages resulting from the execution of a writ of possession in an eviction suit.), **As Introduced**

**No fiscal implication to the State is anticipated.**

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, SLE, CMa, DPe