

## **BILL ANALYSIS**

C.S.H.B. 1841  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Policy makers cannot address the eviction crisis in Texas without good eviction data. Advocates highlight that the data being reported by the county courts to the Office of Court Administration of the Texas Judicial System (OCA) is missing key information that could help paint a complete picture of the Texas eviction crisis. The Texas Judicial Council (TJC) currently reports basic data about eviction cases to OCA while larger counties and cities also have robust information about eviction data. However, certain information is not reported, including eviction information from smaller cities and counties. C.S.H.B. 1841 seeks to bolster the information related to landlord and tenant disputes that is available by requiring the TJC to report by category each case filed in a court involving a dispute between a landlord and tenant.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Judicial Council in SECTION 1 of this bill.

### **ANALYSIS**

C.S.H.B. 1841 amends the Government Code to require a court with original or appellate jurisdiction over landlord and tenant disputes, as a component of the official monthly report submitted to the Texas Judicial Council (TJC), to report by category each case filed in the court involving a dispute between a landlord and tenant under applicable Property Code provisions, including the following categories:

- eviction suits;
- suits involving the disconnection of utilities;
- repair and remedy suits;
- suits involving security deposits;
- suits involving unlawful lockouts;
- suits involving the provision of security and safety devices; and
- any other category of suit involving a landlord or tenant brought under those Property Code provisions and designated by the TJC.

The bill authorizes the TJC to adopt rules as necessary to implement this requirement and requires the TJC to prescribe the categories and the procedures for reporting as soon as practicable after the bill's effective date.

C.S.H.B. 1841 requires the Office of Court Administration of the Texas Judicial System (OCA) as soon as practicable after the bill's effective date to publish on its publicly accessible website, in a format that is searchable by date and jurisdiction, information on cases filed in courts related to landlord and tenant disputes, including the following for each case:

- the court in which the case is filed, including the precinct and county where the court is located;
- whether any legal counsel or agent is representing the defendant;
- whether any legal counsel or agent is representing the plaintiff; and
- the disposition of the case.

C.S.H.B. 1841 expressly does not require a court to report landlord and tenant dispute information under the bill's provisions until after the TJC establishes the applicable categories and procedures for reporting.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 1841 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced required a justice court to report each case filed in the court involving a dispute between a landlord and tenant, the substitute requires a court with original or appellate jurisdiction over landlord and tenant disputes to report each such case filed in the court.

Whereas the introduced required OCA to publish on the website maintained by OCA information on cases filed in justice courts related to landlord and tenant disputes, the substitute requires OCA to publish on the publicly accessible website OCA maintains information on landlord and tenant dispute cases filed in courts in Texas.