

BILL ANALYSIS

S.B. 1259
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

County justice of the peace courts, often referred to as justice courts, handle small claims cases. Justice courts provide a more informal setting than district or county courts, so parties will often represent themselves to save money by avoiding hiring an attorney. Justice courts allow citizens to sue for amounts up to \$20,000 and also allow landlords and tenants to resolve disputes such as evictions and repairs. However, under current law, these residential rental disputes can only be settled for up to \$10,000. S.B. 1259 would increase the maximum amount a justice court may award for residential rental disputes to \$20,000, which is on par with the existing amount people can sue one another for in justice court. Specifically, the \$20,000 judgment limit would apply to any judgment that provides a remedy to a tenant, including orders that require a landlord to make repairs, orders that reduce the tenant's rent while repairs are ongoing, judgments against the landlord for damages, and court costs and attorney's fees incurred by the 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 this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1259 amends the Property Code to increase the maximum judgment amount that may be awarded by a justice court in a case involving the repair or remedy of conditions of a residential rental property from \$10,000 to \$20,000, excluding interest and costs of court. The bill applies only to a cause of action that accrues on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.