

## **BILL ANALYSIS**

H.B. 3364  
By: Schofield  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties explain that the current process by which a party appeals the final judgment of a county court in an eviction suit applies to both residential and commercial evictions and may be in the appeals process for a long period of time. There are concerns that allowing commercial tenants to remain on the property after a final judgment has been issued is costly to small business owners who often cannot recoup those funds and suggest that a final judgment of a county court in an eviction suit should not be appealed on the issue of possession unless the premises are for residential purposes only. H.B. 3364 seeks to address this concern.

### **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**

H.B. 3364 amends the Property Code to prohibit a final judgment of a county court in an eviction suit from being appealed on the issue of possession unless the premises in question are being used for residential purposes only. The bill removes the authorization for an appeal to be taken from a final judgment of a county court, statutory county court, statutory probate court, or district court in an eviction suit.

### **EFFECTIVE DATE**

January 1, 2016.