

BILL ANALYSIS

H.B. 2879
By: Landgraf
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding reports by mechanics experiencing difficulty when attempting to foreclose a possessory lien on certain motor vehicles and transfer the vehicle's title after foreclosure. While a mechanic is required to pay the administrative fee and file the notice with the county tax assessor-collector's office within 30 days of completing repairs, it has been suggested that some current procedures make this process more burdensome than necessary. H.B. 2879 seeks to address this issue by providing mechanics flexibility with regard to the deadline by which a notice to foreclose on a lien must be filed with the county tax assessor-collector's office.

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. 2879 amends the Property Code to establish the 30th day before the date of a proposed sale or disposition of a motor vehicle, motorboat, vessel, or outboard motor as an alternative deadline by which a holder of a worker's lien who retains possession of the repaired vehicle and is required to give written notice to the owner and each lienholder recorded on the certificate of title must file a copy of the notice and all other required information with the county tax assessor-collector's office in the county in which the repairs were made. The bill requires the lienholder to include in the notice the proposed date of sale or disposition of the motor vehicle, if applicable.

EFFECTIVE DATE

September 1, 2021.