

- SUBJECT:** Allowing collection of certain judgments through court proceeding
- COMMITTEE:** Judiciary and Civil Jurisprudence — favorable, without amendment
- VOTE:** 7 ayes — Smithee, Farrar, Gutierrez, Laubenberg, Murr, Rinaldi, Schofield
- 0 nays
- 2 absent — Hernandez, Neave
- WITNESSES:** For — Craig Noack and Brian Staley Texas Creditors Bar Association; Fiecke Baumann; Grant Dunwoody; Steve Javandoost; (*Registered, but did not testify*: Katharine Allen, Encore Capital Group, Inc.; Travis Dunwoody)
- Against — None
- BACKGROUND:** Civil Practice and Remedies Code, sec. 31.002 allows a judgment creditor to seek the aid of a court to collect a judgment if the judgment debtor owns property that cannot readily be attached or levied on by ordinary legal process and is not exempt from attachment, execution, or seizure for the satisfaction of liabilities.
- Some have said that the circumstances for collecting a judgment should be adjusted to make it easier for a judgment creditor to receive help from a court in reaching property to satisfy a judgment.
- DIGEST:** HB 1066 would remove language requiring a showing that a judgment debtor's property cannot readily be attached or levied by ordinary legal process. The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2017, and would apply to the collection of a judgment regardless of when it was entered.