

BILL ANALYSIS

Senate Research Center
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H.B. 3081
By: Telford (Lindsay)
Jurisprudence
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Engrossed

DIGEST

In February 1998, a court issued a writ of execution to seize artwork on display at a Houston museum. Although the dispute underlying the writ did not directly involve the museum, the delay in releasing the artwork jeopardized the museum's exhibition. Because major exhibitions constitute a significant portion of a museum's revenue, disruptions may result in the loss of money. H.B. 3081 would prohibit a court from issuing and a person from serving certain processes and seizures on fine art for a certain period surrounding the exhibition date. In addition, H.B. 3081 would prohibit the court from issuing the processes and seizures without providing for the handling and transportation of the artwork in a manner that complies with accepted standards.

PURPOSE

As proposed, H.B. 3081 establishes certain regulations regarding courts issuing processes or ordering seizures of fine artwork.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 61, Civil Practice and Remedies Code, by adding Subchapter E, as follows:

SUBCHAPTER E. WORKS OF FINE ART

Sec. 61.081. ONE-YEAR EXEMPTION FOR EXHIBITION. Prohibits a court from issuing and a person from serving certain processes or seizures on a work of fine art for certain periods of time. Defines "exhibition."

Sec. 61.082. HANDLING AND TRANSPORTATION. Prohibits a court from issuing any process or seizure on a work of fine art unless the court requires that the work of art be handled and transported in a manner that complies with the accepted standards of the artistic community for works of fine art.

SECTION 2. Emergency clause.
Effective date: upon passage.