

BILL ANALYSIS

Senate Research Center
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H.B. 3182
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State Affairs
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Engrossed

DIGEST

Prior to 1995, service of citation for unpaid rent and service of citation for eviction were allowed to be served simultaneously. However, under a 1995 attorney general opinion, these citations are required to be filed separately. H.B. 3185 increases efficiency by creating procedures allowing the services of citation of unpaid rent and eviction to be filed in a single suit.

PURPOSE

As proposed, H.B. 3182 creates procedures applicable in a suit filed by a landlord to evict and recover unpaid rent from a tenant.

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 24, Property Code, by adding Section 24.0051, as follows:

Sec. 24.0051. PROCEDURES APPLICABLE IN SUIT TO EVICT AND RECOVER UNPAID RENT. Provides that personal service on the tenant or service on the tenant under Rule 742a, Texas Rules of Civil Procedure, is sufficient to support a default judgment for possession of the premises and unpaid rent, in a certain suit filed by a landlord. Authorizes a landlord to recover unpaid rent regardless of certain circumstances involving the tenant's vacating of the premises by a certain date.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.