

1-1 By: Huffines S.B. No. 1344
 1-2 (In the Senate - Filed March 11, 2015; March 18, 2015, read
 1-3 first time and referred to Committee on Business and Commerce;
 1-4 April 9, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 9, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1344 By: Huffines

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the removal of a tenant's personal property after a writ
 1-22 of possession has been issued in an eviction suit.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 24.0061, Property Code, is amended by
 1-25 amending Subsection (d) and adding Subsection (d-1) to read as
 1-26 follows:

1-27 (d) The writ of possession shall order the officer executing
 1-28 the writ to:

1-29 (1) post a written warning of at least 8-1/2 by 11
 1-30 inches on the exterior of the front door of the rental unit
 1-31 notifying the tenant that the writ has been issued and that the writ
 1-32 will be executed on or after a specific date and time stated in the
 1-33 warning not sooner than 24 hours after the warning is posted; and

1-34 (2) when the writ is executed:

1-35 (A) deliver possession of the premises to the
 1-36 landlord;

1-37 (B) instruct the tenant and all persons claiming
 1-38 under the tenant to leave the premises immediately, and, if the
 1-39 persons fail to comply, physically remove them;

1-40 (C) instruct the tenant to remove or to allow the
 1-41 landlord, the landlord's representatives, or other persons acting
 1-42 under the officer's supervision to remove all personal property
 1-43 from the rental unit other than personal property claimed to be
 1-44 owned by the landlord; and

1-45 (D) place, or have an authorized person place,
 1-46 the removed personal property outside the rental unit at a nearby
 1-47 location, but not blocking a public sidewalk, passageway, or street
 1-48 and not while it is raining, sleeting, or snowing, except as
 1-49 provided by Subsection (d-1).

1-50 (d-1) A municipality may provide, without charge to the
 1-51 landlord or to the owner of personal property removed from a rental
 1-52 unit under Subsection (d), a portable, closed container into which
 1-53 the removed personal property shall be placed by the officer
 1-54 executing the writ or by the authorized person. The municipality
 1-55 may remove the container from the location near the rental unit and
 1-56 dispose of the contents by any lawful means if the owner of the
 1-57 removed personal property does not recover the property from the
 1-58 container within a reasonable time after the time the property is
 1-59 placed in the container.

1-60 SECTION 2. This Act takes effect September 1, 2015.

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