

CHAPTER 747

H.B. No. 1908

An Act relating to the creation of a warehouseman's lien on property belonging to an evicted tenant.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Chapter 24, Property Code, is amended by adding Section 24.009 to read as follows:

Sec. 24.009. WAREHOUSEMAN'S LIEN. (a) If personal property is removed from a tenant's premises as the result of an action brought under this chapter and stored in a bonded public warehouse, the warehouseman has a lien on the property to the extent of any storage and moving charges incurred by the warehouseman.

(b) Any sale of property the subject of a lien under this section shall be conducted in accordance with Sections 7.210, 9.301-9.318, and 9.501-9.507 of the Business & Commerce Code.

SECTION 2. The change in law made by this Act applies only to property removed in a forcible entry and detainer action on or after the effective date of this Act. Property removed before the effective date of this Act is covered by the law in effect when the property was removed, and the former law is continued in effect for this purpose.

SECTION 3. This Act takes effect September 1, 1985.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 21, 1985, by a non-record vote; passed by the Senate on May 26, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 14, 1985

Effective: September 1, 1985