

**CHAPTER 60**

**S.B. No. 491**

An Act relating to the appointment of a receiver over certain marital property; amending Article 2318, Revised Statutes.

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

**SECTION 1.** Article 2318, Revised Statutes, is amended to read as follows: /

“Article 2318. **APPLICATION FOR RECEIVER.** (a) No receiver of a joint stock or incorporated company, co-partnership or private person shall ever be appointed on the petition of such joint stock or incorporated company, partnership or person. A stockholder or

stockholders of such joint stock or incorporated company may have his or their action against such company, and may have a receiver appointed as in ordinary cases.

“(b) Nothing herein shall prevent:

“(1) a member of any co-partnership from having a receiver appointed whenever a cause of action arises between the co-partners; or

“(2) a spouse in a suit filed under Title 1 or 2, Family Code, from having a receiver appointed over all or part of the marital estate.”

**SECTION 2.** 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 5, 1985, by the following vote: Yeas 31, Nays 0; passed the House on April 18, 1985, by the following vote: Yeas 139, Nays 0, two present not voting.

Approved: April 30, 1985

Effective: Immediately