

CHAPTER 266

H.B. No. 1125

AN ACT

relating to the posting of a bond by a tenant after seizure of the tenant's property by a landlord for unpaid rent.

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

SECTION 1. Subchapter C, Chapter 54, Property Code, is amended by adding Section 54.048 to read as follows:

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*Sec. 54.048. TENANT MAY REPLEVY. At any time before judgment in a suit for unpaid rent, the tenant may replevy any of the property that has been seized, if the property has not been claimed or sold, by posting a bond in an amount approved by the court, payable to the landlord, and conditioned that if the landlord prevails in the suit, the amount of the judgment rendered and any costs assessed against the tenant shall be first satisfied, to the extent possible, out of the bond.*

SECTION 2. This Act applies only to a suit for unpaid rent that is initiated on or after the effective date of this Act.

SECTION 3. This Act takes effect September 1, 1987.

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 April 15, 1987, by a non-record vote. Passed by the Senate on May 14, 1987, by the following vote: Yeas 30, Nays 0.

Approved May 28, 1987.

Effective Sept. 1, 1987.