



LEGISLATIVE UPDATE:

**SIGNIFICANT BILLS OF THE 86TH TEXAS LEGISLATURE, REGULAR SESSION,
AFFECTING REAL ESTATE, MORTGAGE LENDING AND OTHER COMMERCIAL MATTERS**

REAL ESTATE LEGISLATIVE AFFAIRS COMMITTEE
REAL ESTATE, PROBATE AND TRUST LAW SECTION
STATE BAR OF TEXAS
FINAL REPORT

JULY 2, 2019

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I. INTRODUCTION

This is the final report of the Real Estate Legislative Affairs Committee of the Real Estate, Probate and Trust Law Section of the State Bar of Texas (“**RELACs**”). This report summarizes significant bills passed during the Regular Session of the 86TH Texas Legislature (this “**Session**”) affecting real estate, mortgage lending, and other business and commercial issues of interest to Texas real estate attorneys.

During this Session, RELACs tracked nearly 1800 bills. From among these bills, 167 were chosen for inclusion in this report.

This report categorizes bill summaries by code in alphabetical order. Some bills may be broad enough in scope to justify placement under multiple codes or under multiple titles within a code; however, in the interest of brevity, each bill summary appears in this report only once, under the primarily affected code and title. Consequently, the reader is encouraged to carefully review the entire report to ensure recognition of every bill of relevance to a particular topic.

Bill captions in this report are copied from the actual legislation. However, neither the bill captions, nor the bill summaries herein are intended to address all relevant aspects of the bills. Rather, this report serves only to alert the reader to each bill’s general scope and effect. The reader must choose which bills, if any, merit closer scrutiny for their potential effect on his or her practice.

II. EFFECTIVE DATES

Pursuant to Section 39, Article III, of the Texas Constitution, the effective date of bills enacted in regular session without specific effective dates (and without provisions for immediate effect) is ninety-one days after adjournment of the regular session. For this Session that date is Monday, August 26, 2019. If, however, a bill has a provision for immediate effect and is passed by a two-thirds majority in each of the House and Senate, then the bill becomes law immediately upon: (a) the date the Governor signs it, (b) the date the Governor files it with the Secretary of State (with neither signature, nor veto), (c) in the

absence of signing or filing, the date the deadline for gubernatorial action expires, or (d) if the Governor vetoes the bill, the date the Legislature overrides the veto.

To reduce uncertainty as to effective dates, this report states the earliest effective date for each summarized bill as reported by the Texas Legislative Service on its website. The reader is advised to review these effective dates because a substantial number of bills included in this report have effective dates prior to August 26, 2019. Also, different portions of a bill may have different effective dates and the summaries in this report do not necessarily indicate all effective dates within a bill.

III. INTERNET RESOURCES

Bills from this Session can be accessed on the official website for the Texas legislature at:

<http://www.capitol.state.tx.us/>.

Additionally, this report provides hyperlinks from each bill summary to the final, enrolled version of the bill as posted on the Texas Legislature’s website. Simply right-click on the bill number, choose “Open Hyperlink” from the drop-down menu, and the enrolled bill will appear in your web browser.

IV. ACKNOWLEDGMENTS

This report is almost entirely dependent on the volunteer efforts of the members of RELACS, which is comprised of real estate lawyers from across the State. Without these lawyers' collective efforts, this report would not be feasible.

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