



**LEGISLATIVE UPDATE:
SIGNIFICANT BILLS OF THE 87TH TEXAS LEGISLATURE, REGULAR SESSION
AFFECTING REAL ESTATE, LENDING
AND OTHER COMMERCIAL MATTERS**

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

JUNE 2021

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	EFFECTIVE DATES.....	1
III.	INTERNET RESOURCES.....	1
IV.	ACKNOWLEDGMENTS	2
V.	SUMMARIES OF NEW LEGISLATION	3
	AGRICULTURE CODE	3
	BUSINESS AND COMMERCE CODE.....	3
	BUSINESS ORGANIZATIONS CODE.....	5
	CIVIL PRACTICE AND REMEDIES CODE	6
	CONSTITUTION	9
	ESTATES CODE	10
	FINANCE CODE	11
	GOVERNMENT CODE	12
	HEALTH & SAFETY CODE	19
	INSURANCE CODE.....	21
	LABOR CODE.....	24
	LOCAL GOVERNMENT CODE	24
	NATURAL RESOURCES CODE	30
	OCCUPATIONS CODE	31
	PARKS & WILDLIFE CODE	34
	PENAL CODE.....	34
	PROPERTY CODE.....	35
	SPECIAL DISTRICTS LOCAL LAWS CODE	42
	TAX CODE	43
	TRANSPORTATION CODE.....	50
	UTILITIES CODE.....	51
	WATER CODE	52

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 87TH Texas Legislature affecting real estate, mortgage lending, and other business and commercial issues of interest to Texas real estate law practitioners.

During the Session, Texans’ elected representatives introduced 7,148 bills. Among those bills, RELACs identified over 1,800 to track throughout the Session. From among the bills that were being tracked and passed, RELACs chose for inclusion in this report 206 bills that were believed would be of general interest to practitioners of Texas real estate law.

This report categorizes bill summaries by code in alphabetical order. Some bills may be broad enough in scope to justify placement under multiple codes and/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, we encourage the reader 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 caption, nor RELACs’ general summary can address all relevant aspects of each bill. 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 acts without specific effective dates (and without provisions for immediate effect) passed by the Legislature in regular session is ninety-one days after adjournment of the regular session. For the 87TH Legislature’s Regular Session this date is Monday, August 30, 2021. 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 the potential for confusion and 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. RELACs advises the reader to review these effective dates because a substantial number of bills included in this report have effective dates prior to August 30, 2021. Note as well that 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 the 87th Texas Legislature can be accessed the official website for the Texas legislature at:

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

Additionally, this report hyperlinks 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

RELACs is almost entirely dependent on volunteer efforts from real estate lawyers across the State. Without these lawyers' collective efforts, this report would not be feasible.

RELACs for the 87th Texas Legislature is:

CHAIR: John H. "Jack" Miller, III
Jack Miller Law, PLLC
Houston

CHAIR
EMERITUS: Richard A. Crow
Clark Hill Strasburger
Houston

VICE CHAIRS
AND EDITORS: James L. Dougherty, Jr.
Attorney at Law
Houston

Samantha Dyal
Valero Companies
San Antonio

Jack P. Turano,
III *HaynesBoone*
Houston

LEGISLATIVE
COUNSEL AND
EDITOR: Sarah P. Senterfitt
Attorney at Law
Austin

POLITICAL
AFFAIRS
ADVISOR: Mark McPherson
McPherson Law Firm,
PLLC
Dallas

MEMBERS:
Claire M Barber
Polunsky Beitel Green, LLP
Houston

Lorin Williams Combs
Winstead PC
Austin

Stephen A. Cooney
Gray Reed & McGraw LLP
Houston

Joseph Goddard
Gray Reed & McGraw LLP
Dallas

Mark Hines
Hines & Maxwell, PLLC
Cleburne

Michael A. Jacobs
Attorney at Law
Houston

Jerry Lott, Jr.
Winstead PC
Austin

Tom Misteli
Law Office of Thomas M.
Misteli, PC
Dallas

Lindsey Jandal Postula
Gray Reed & McGraw LLP
Houston

Cole Robinson
Gray Reed & McGraw LLP
Dallas

Ashlee E. Ross
Real Estate Services, MD
Anderson Cancer Center
Houston

Stephen B. "Steve" Schulte
MacDonald Companies
Kerrville

Jason Smith
Norton Rose Fulbright
San Antonio

Katherine Van Wagner
Latham & Watkins LLP
Houston

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Legislative Update

Also available as part of the eCourse

[2021 William W. Gibson, Jr. Mortgage Lending and Servicing eConference](#)

First appeared as part of the conference materials for the
55th Annual William W. Gibson, Jr. Mortgage Lending and Servicing Institute session
"Legislative Update"