

BILL ANALYSIS

H.B. 1862
By: Kuempel
Business & Industry
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties assert that the wording in current law insinuates that a county clerk sends a hospital or emergency medical services provider notice of the recording of a lien secured by the hospital or provider in the county records. The parties contend that this creates unnecessary confusion because there is no explicit statutory requirement for a county clerk to send such notice to a hospital or emergency medical services provider. H.B. 1862 seeks to address this issue and prevent further confusion in this regard.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1862 amends the Property Code to change the date by which a hospital or emergency medical services provider securing a lien is required to send a written notice to the injured individual or the injured individual's legal representative informing the individual of certain information about the lien from not later than the fifth business day after the date the hospital or emergency medical services provider receives notice from the county clerk that a notice of lien has been recorded in the county records to not later than the fifth business day after the date the notice of lien is filed.

EFFECTIVE DATE

September 1, 2015.