

SUBJECT: Requiring public report of landlord and tenant disputes by justice courts

COMMITTEE: Judiciary and Civil Jurisprudence — committee substitute recommended

VOTE: 8 ayes — Leach, Davis, Julie Johnson, Krause, Middleton, Moody, Schofield, Smith

0 nays

1 absent — Dutton

WITNESSES: For — Jeff Reichman, January Advisors; (*Registered, but did not testify:* Melissa Shannon, Bexar County Commissioners Court; Jamaal Smith, City of Houston Office of the Mayor; Jeff Miller, Disability Rights Texas; Trish McAllister, Texas Access to Justice Commission)

Against — None

On — David Slayton, Office of Court Administration

BACKGROUND: Some have noted that although the Texas Judicial Council is tasked with reporting judicial statistics, specific eviction data often goes unreported, especially for small cities and counties in the state.

DIGEST: HB 1930 would require an official monthly report from a justice court to the Texas Judicial Council (TJC) to report by category each case filed in the court involving certain disputes between a landlord and a tenant, including:

- eviction suits,
- suits involving the disconnection of utilities;
- repair and remedy suits;
- suits involving security deposits;
- suits involving unlawful lockouts;
- suits involving the provision of security and safety devices; and

- any other category of suit involving a landlord or tenant designated by the Office of Court Administration (OCA).

TJC could adopt rules as necessary to implement these provisions. The council would have to prescribe the categories of landlord and tenant suits that a justice court would be required to report as soon as practicable after the effective date of the bill. A justice court would not be required to report landlord and tenant dispute information until after TJC established the categories and procedures for reporting.

As soon as practicable after the effective date of the bill, OCA would have to publish on the public information internet website maintained by the office information on cases filed in justice courts related to landlord and tenant disputes. The information would have to include for each case:

- the justice court in which the case was filed, including the precinct, municipality, and county in which the court was located;
- any legal counsel or agent representing the defendant;
- any legal counsel or agent representing the plaintiff; and
- the disposition of the case.

The bill would take effect September 1, 2021.

NOTES:

According to the Legislative Budget Board, the bill would have a negative impact of \$300,000 to general revenue through fiscal 2023.