

**BILL ANALYSIS**

Senate Research Center

H.B. 1787  
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State Affairs  
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Engrossed

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

A recent Texas Supreme Court decision prohibited title disputes from being resolved under the Uniform Declaratory Judgments Act, closing an efficient means of resolving such disputes. There is now only one method by which a title dispute can be resolved, the trespass to try title, a more burdensome method.

H.B. 1787 authorizes a boundary dispute to be settled through the use of a declaratory judgment.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 37.004, Civil Practice and Remedies Code, by adding Subsection (c), to authorize a person described by Subsection (a) (a person interested under a writing that constitutes a contract or whose rights, status, or other legal relations are affected by a statute, municipal ordinance, contract, or franchise) to obtain a determination under this chapter (Declaratory Judgments) when the sole issue concerning title to real property is the determination of the proper boundary line between adjoining properties, notwithstanding Section 22.001 (Trespass to Try Title), Property Code.

SECTION 2. Effective date: upon passage or September 1, 2007.