

Texas Land Title Association (TLTA)
Master Legislative Tracking List / Action Report
Texas Legislature 87th Session
Updated: 26 May 2021

Bills TLTA Is Working to Pass

	TLTA Board Position	Bill #	Author Name	Relating Clause	Companion Bill #	Companion Author	Notes
Legislation TLTA Is Working to Pass							
Quitclaim SQL	Support	SB 885	Hughes	Relating to the effect of recording a quitclaim deed	HB 3320	Landgraf	Signed by Governor. Effective Sept. 1
Homestead Certainty	Support	HB 3115	Shine	Relating to the release of a judgment lien on homestead property	SB 1594	Buckingham	On Senate's last local and uncontested calendar.

Other Bills With Official TLTA Positions

	TLTA Board Position	Bill #	Author Name	Relating Clause	Companion Bill #	Companion Author	Notes
	Support	SB 30	West, et al	Relating to the removal of certain discriminatory restrictions and provisions from certain real property records.	N/A	N/A	As initially filed would create a system via which certain discriminatory provisions from a recorded conveyance instrument or document could be redacted from the land records after the county clerk made a legal determination about the provision. Following TLTA's work with the bill author to suggest improvements to the bill language, the TLTA Board voted to support this amended bill. The result is a bill that allows for the filing of a subsequent instrument which modifies the offensive language in the deed. The bill now sets forth a process where a judge makes the legal determination as to whether the provision is subject to removal. This bill has been passed by the Senate and House.
	Neutral	HB 654	Lucio III, et al	Relating to the rule against perpetuities	SB 1377	Johnson, et al	Passed by House and Senate. Awaiting House decision to concur in the amendments passed by Senate, or appoint a conference committee to work through the differences.
	Neutral	HB 2240	Smithee	Relating to the disbursement of funds from a trust fund account by a title insurance company, title insurance agent, or escrow officer.	SB 1958	Creighton	Would change the definition of good funds to include ACH consumer transfers if certain conditions are met. TLTA's Board adopted a neutral position on this legislation in March after the bill author, former longtime Texas House Insurance Committee chairman John Smithee, agreed to address some fundamental concerns we had about the bill language. As the bill progressed through the legislative process, the bill author incorporated additional changes to address industry and other stakeholder concerns both in the version adopted by the House and the committee substitute that the Senate Business and Commerce Committee approved. This bill is on the Senate's Local and Uncontested Calendar.
	Opposed	HB 2414	Davis	Relating to the authority of a county clerk to require a person to present photo identification to file a document in the real property records of a county			Would require that photo IDs be presented to and stored by the county clerks for each filing in the real property records. This would create hardship for title agents in rural counties where e-recording is not possible. TLTA recommended limiting the bill to counties that also provide for e-recording, but this proposal was not accommodated. TLTA remains opposed to the bill. The Lt. Governor has not referred this bill to a committee.
	Neutral	HB 2237	Burrows, et al	Relating to mechanic's, contractor's, or materialman's liens			The goals of HB 2237's author and the building trades stakeholders who would be impacted by the bill include improving the timelines associated with perfecting liens. This bill represents a multi-session conversation of which TLTA and our members have been a part.
	Neutral	HB 1679	Romero, Jr.	Relating to the survival of a mechanic's retainage lien after the foreclosure of a lien securing a construction loan	N/A	N/A	TLTA will maintain a neutral position on this bill, which provides that a mechanic's lien can survive a foreclosure up to the retainage amount. This bill is no longer a viable, stand-alone legislative vehicle.
	Oppose	HB 2825	Bonnen, et al	Relating to certain transactions involving real property located near military bases	N/A	N/A	Would have required title companies to keep current information on zoning status of properties within 25 miles of military installations in Texas, check buyer's names and company ownership against a designated list, and inform the seller that a buyer's name or company matches this list of a "scrutinized company" or otherwise flagged individuals. The title company would then have to notify the Seller that they identified the Buyer as a flagged individual. This would represent a departure from the neutral third-party status of title professionals and would create enormous costs for the industry. We've proposed alternatives to this bill, however, due to legislative deadlines, this bill is now dead. However, it could be revived as an amendment to another bill, and we continue to monitor this proposal closely.

Other Bills of Interest Our Legislative Team is Tracking

In addition to the legislation on which TLTA's Board of Directors has adopted positions (see list above), our legislative team is currently tracking more than 150 of the bills filed this session in our Bills of Interest list. We have been actively addressing concerns and seeking improvements to these bills to avoid unintended consequences and preserve our daily functions as title agents and underwriters.

[Review Our Bills of Interest List](#)