

SENATE BILL 30 (SB30)

The Texas Legislature recently amended the Property Code to provide a streamlined procedure for addressing discriminatory provisions in real property records. Although state law already declared restrictions and provisions in real property records that prohibit the use, sale or transfer of real property to a person based on race, color, religion, or national origin to be void and unenforceable, Senate Bill 30, which took effect on September 1, 2021, establishes a process for a property owner, or another person that the owner authorizes, to request a judicial review of specific property records to determine whether they contain prohibited discriminatory provisions.

In order to request judicial review of a specific property record, a motion must be filed with the El Paso County Clerk. The conveyance instrument of the property in question must be attached to the motion. The bill provides a template form that may be used for the motion. The template contains the necessary information as required by Senate Bill 30, to include a suggested format for the court's findings and order. Under certain circumstances, the court may issue its determination without conducting a hearing. No filing fees may be charged under the statute.

To view the bill and template forms suggested for filing with the El Paso County Clerk, use the link: [87\(R\) SB 30 - Enrolled version \(texas.gov\)](#)