



FLOOR AMENDMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

*Harless*

Amend S.B. No. 16 (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION \_\_\_\_\_. Section 405.022, Government Code, is amended by adding Subsections (e), (f), and (g) to read as follows:

(e) If a document to create a lien on real property is filed with the secretary of state by an inmate or on behalf of an inmate and a purported debtor or obligor named in the document is an employee or board member of the Texas Department of Criminal Justice who believes the document was fraudulently filed, the purported debtor or obligor may, under penalty of perjury, file an affidavit stating the impermissibility of the document with the secretary of state. The secretary of state shall make a form affidavit for use when filing an affidavit under this subsection. On acceptance of an affidavit properly filed under this subsection, the secretary of state shall:

(1) request the assistance of the attorney general to determine whether the document was fraudulently filed; and

(2) file a termination statement with respect to the document identified in the affidavit if the attorney general determines that the document was fraudulently filed.

(f) For purposes of a request under Subsection (e), the attorney general may request the filer provide to the attorney general documentation supporting the existence of the lien, including documents described by Subsection (c).

(g) Notwithstanding Section 9.520, Business & Commerce Code, the secretary of state may refuse to accept for filing a record purporting to create a lien on real property if the attorney general determines under Subsection (a) that the document submitted

1 for filing is fraudulent.