

## Personal Property

### **42.001 Personal Property Exemption**

- (a) Personal property, as described in Section 42.002, is exempt from garnishment, attachment, execution, or other seizure if:
  - (1) the property is provided for a family and has an aggregate fair market value of not more than \$60,000.00, exclusive of the amount of any liens, security interests, or other charges encumbering the property; or
  - (2) the property is owned by a single adult, who is not a member of a family, and has an aggregate fair market value of not more than \$30,000.00, exclusive of the amount of any liens, security interest, or other charges encumbering the property.
- (b) The following personal property is exempt from seizure and is not included in the aggregate limitations prescribed by Subsection (a):
  - (1) current wages for personal services, except for enforcement of court-ordered child support payments;
  - (2) professionally prescribed health aids of a debtor or a dependant of a debtor;
  - (3) alimony, support, or separate maintenance received or to be received by the debtor for the support of the debtor or a dependent of the debtor and
  - (4) a religious bible or other book containing sacred writings of a religion that is seized by a creditor other than a lessor of real property who is exercising the lessor's contractual or statutory right to seize personal property after a tenant breaches a lease agreement for or abandons the real property.
- (c) Except as provided by Subsection (b)(4), this section does not prevent seizure by a secured creditor with a contractual landlord's lien or other security in the property to be seized.
- (d) Unpaid commissions for personal services not to exceed 25 percent of the aggregate limitations prescribed by Subsection (a) are exempt from seizure and are included in the aggregate.
- (e) A religious bible or other book described by Subsection (b)(4) that is seized by a lessor of real property in the exercise of the lessor's contractual or statutory right to seize personal property after a tenant breaches a lease agreement for the real property or abandons the real property may not be included in the aggregate prescribed by Subsection (a).

### **42.002 Personal Property**

- (a) The following personal property is exempt under Section 42.001(a):
  - (1) home furnishings, including family heirlooms;
  - (2) provisions for consumption;
  - (3) farming or ranching vehicles and implements;
  - (4) tools, equipment, books, and apparatus, including boats and motor vehicles used in a trade or profession;
  - (5) wearing apparel;
  - (6) jewelry not to exceed 25 percent of the aggregate limitations prescribed by Section 42.001(a);
  - (7) two firearms;
  - (8) athletic and sporting equipment, including bicycles;
  - (9) a two-wheeled, three-wheeled, or four-wheeled motor vehicle for each member of a family or single adult who holds a driver's license but who relies on another person to operate the vehicle for the benefit of the non licensed person;
  - (10) the following animals and forage on hand for their consumption:
    - (A) two horses, mules, or donkeys and a saddle, blanket, and bridle for each;
    - (B) 12 head of cattle;
    - (C) 60 head of other types of livestock; and
    - (D) 120 fowl; and
  - (11) household pets.
- (b) Personal property, unless precluded from being encumbered by other law, may be encumbered by a security interest under Subsection B, Chapter 9, Business & Commerce Code, or Subchapter F, Chapter 501, Transportation Code, or by a lien fixed by other law, and the security interest or lien may not be avoided on the ground that the property is exempt under this chapter.