Has state opted out of federal bankruptcy exemptions? No.

Is opt out limited to residents or domiciliaries of the state? Not applicable.

Do state’s exemptions have extraterritorial application?


Scope: Wages or commissions for personal services. Tex. Prop. Code Ann. §§ 42.001(b)(1), 42.001(d) (West).

Amount: Current wages for personal service are exempt from garnishment. Commissions for personal services also protected, up to 25% of aggregate limitations ($100,000 for a family, $50,000 for an individual). Tex. Prop. Code Ann. § 42.001(d) (West).

Survival after payment/deposit: Not specified in exemption statute.

Waiver: Not specified in exemption statute.


Amount: Rural homestead consists of not more than 200 acres for a family or 100 acres for an individual; an urban homestead consists of not more than ten acres (for property sold before January 1, 2000, the prior one-acre exemption applies); includes improvements; must be claimant’s home which may include place of business (Tex. Const. art. 16, § 50; Tex. Prop. Code Ann. § 41.002 (West)); homestead is subject to certain liens. Tex. Const. art. 16, § 50; Tex. Prop. Code Ann. § 41.001(b) (West). Urban is defined as within municipal limits and receiving certain municipal services. Tex. Prop. Code Ann. § 41.002 (West). A homestead exemption is available for residences owned by certain kinds of trust. Tex. Prop. Code Ann. § 41.0021 (West).

Procedural requirements: Procedure available for designation of homestead, but may be done at time of levy. Tex. Prop. Code Ann. § 41.005 (West).

Special provisions: Proceeds from sale exempt for six months. Tex. Prop. Code Ann. § 41.001(c) (West).


Tangible personal property: Tex. Prop. Code Ann. §§ 42.001 through 42.005 (West).

Household goods: Up to $100,000 for a family, $50,000 for a single adult, of the following: household furnishings, provisions, trade implements, clothing, two firearms, sporting equipment, certain animals, certain vehicles, and pets; exemptions not applicable to a child support lien under Family Code. Former amounts: $60,000 family and $30,000 individual apply to final judgment obtained, or bankruptcy proceeding initiated, before the effective date of this statute, September 1, 2015. Tex. Prop. Code Ann. §§ 42.001(a), 42.002 (West).

Motor vehicles: See description of wildcard under household goods, supra.

Tools of trade: See description of wildcard under household goods, supra.

Clothing and jewelry: See description of wildcard under household goods, supra. (Jewelry limited to 25% of aggregate amount.)

Miscellaneous and wildcard: See description of wildcard under household goods, supra. Health aids exempt and not included.

Waiver: Not specified in exemption statute.

Benefits, retirement plans, insurance, judgments, and other intangibles: Tex. Prop. Code Ann. §§ 42.001, 42.0021, 42.0022 (West).


Insurance, judgments, or other compensation for injury: Certain life insurance.

Bank accounts: Funds held in, or right to receive payments from, certain college tuition savings plans established pursuant to the Education Code; health savings accounts, as defined in Internal Revenue code. Tex. Prop. Code Ann. § 420.022 (West).

Alimony, child support: Alimony, support, or separate maintenance, received or to be received. Tex. Prop. Code Ann. § 42.001(b)(3) (West).

Tax refunds: Not specified in exemption statute.

Survival after payment or deposit: Not specified in exemption statute.

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