

By: Menendez

H.B. No. 518

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the service of citation by publication in a suit  
3 affecting the parent-child relationship.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 102.010, Family Code, is amended by  
6 adding Subsections (d) and (e) to read as follows:

7 (d) In any suit in which service of citation is by  
8 publication, a statement of the evidence of service, approved and  
9 signed by the court, must be filed with the papers of the suit as a  
10 part of the record.

11 (e) In a suit filed under Chapter 161 or 262 in which the  
12 first or last name of the respondent is unknown, the court may order  
13 substituted service of citation by publication, including  
14 publication by posting the citation at the courthouse door for a  
15 specified time, if the court finds and states in its order that the  
16 method of substituted service is as likely as citation by  
17 publication in a newspaper in the manner described by Subsection  
18 (b) to give the respondent actual notice of the suit. If the court  
19 orders that citation by publication shall be completed by posting  
20 the citation at the courthouse door for a specified time, service  
21 must be completed on, and the answer date is computed from, the  
22 expiration date of the posting period. If the court orders another  
23 method of substituted service of citation by publication, service  
24 shall be completed as directed by the court.

1           SECTION 2. This Act takes effect September 1, 2003, and  
2 applies only to a suit affecting the parent-child relationship  
3 filed on or after that date. A suit affecting the parent-child  
4 relationship filed before the effective date of this Act is  
5 governed by the law in effect on the date that the suit was filed,  
6 and the former law is continued in effect for that purpose.