

AN ACT

relating to the service of citation by publication in a suit affecting the parent-child relationship and to the eligibility of certain child-support obligors for state grants, loans, or contracts.

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

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

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

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

1 method of substituted service of citation by publication, service  
2 shall be completed as directed by the court.

3 SECTION 2. Section 231.006(b), Family Code, is amended to  
4 read as follows:

5 (b) A child support obligor or business entity ineligible to  
6 receive payments under Subsection (a) remains ineligible until:

7 (1) all arrearages have been paid; ~~[or]~~

8 (2) the obligor is in compliance with a written  
9 repayment agreement or court order as to any existing delinquency;  
10 or

11 (3) the court of continuing jurisdiction over the  
12 child support order has granted the obligor an exemption from  
13 Subsection (a) as part of a court-supervised effort to improve  
14 earnings and child support payments.

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

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President of the Senate

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Speaker of the House

I certify that H.B. No. 518 was passed by the House on April 24, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 518 on May 31, 2003, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 518 was passed by the Senate, with amendments, on May 28, 2003, by a viva-voce vote.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor