

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

24 SECTION 2. This Act takes effect September 1, 2003, and

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