

1-1 By: Menendez (Senate Sponsor - Whitmire) H.B. No. 518
1-2 (In the Senate - Received from the House April 25, 2003;
1-3 April 28, 2003, read first time and referred to Committee on
1-4 Jurisprudence; May 20, 2003, reported favorably, as amended, by
1-5 the following vote: Yeas 5, Nays 0; May 20, 2003, sent to printer.)

1-6 COMMITTEE AMENDMENT NO. 1 By: Gallegos

1-7 Amend H.B. No. 518 on page 1, line 20, by striking "first or".

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the service of citation by publication in a suit
1-11 affecting the parent-child relationship.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 102.010, Family Code, is amended by
1-14 adding Subsections (d) and (e) to read as follows:

1-15 (d) In any suit in which service of citation is by
1-16 publication, a statement of the evidence of service, approved and
1-17 signed by the court, must be filed with the papers of the suit as a
1-18 part of the record.

1-19 (e) In a suit filed under Chapter 161 or 262 in which the
1-20 first or last name of the respondent is unknown, the court may order
1-21 substituted service of citation by publication, including
1-22 publication by posting the citation at the courthouse door for a
1-23 specified time, if the court finds and states in its order that the
1-24 method of substituted service is as likely as citation by
1-25 publication in a newspaper in the manner described by Subsection
1-26 (b) to give the respondent actual notice of the suit. If the court
1-27 orders that citation by publication shall be completed by posting
1-28 the citation at the courthouse door for a specified time, service
1-29 must be completed on, and the answer date is computed from, the
1-30 expiration date of the posting period. If the court orders another
1-31 method of substituted service of citation by publication, service
1-32 shall be completed as directed by the court.

1-33 SECTION 2. This Act takes effect September 1, 2003, and
1-34 applies only to a suit affecting the parent-child relationship
1-35 filed on or after that date. A suit affecting the parent-child
1-36 relationship filed before the effective date of this Act is
1-37 governed by the law in effect on the date that the suit was filed,
1-38 and the former law is continued in effect for that purpose.

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