

By: Goodman

H.B. No. 821

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the methods of providing notice of an associate judge's  
3 report in a suit affecting the parent-child relationship.

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

5 SECTION 1. Sections 201.011(c) and (d), Family Code, are  
6 amended to read as follows:

7 (c) Notice may be given to the parties:

8 (1) in open court, by an oral statement or a copy of  
9 the associate judge's written report, including any proposed order;  
10 ~~[or]~~

11 (2) by certified mail, return receipt requested; or

12 (3) by facsimile transmission.

13 (d) The associate judge shall certify the date of mailing of  
14 notice by certified mail or the date of the facsimile transmission.  
15 There is a rebuttable presumption that notice is received on the  
16 date stated on:

17 (1) the signed return receipt, if notice was provided  
18 by certified mail; or

19 (2) the confirmation page produced by the facsimile  
20 machine, if notice was provided by facsimile transmission [~~Notice~~  
21 ~~is considered given on the third day after the date of mailing~~].

22 SECTION 2. This Act takes effect September 1, 2003.