

By: Whitmire

S.B. No. 919

A BILL TO BE ENTITLED

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AN ACT

relating to the kinds of mail service that may be used under the public information law to send a notice or any other document to a person.

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

SECTION 1. The heading to Section 552.308, Government Code, is amended to read as follows:

Sec. 552.308. TIMELINESS OF ACTION BY UNITED STATES MAIL, [~~OR~~] INTERAGENCY MAIL, OR COMMON OR CONTRACT CARRIER.

SECTION 2. Subsection (a), Section 552.308, Government Code, is amended to read as follows:

(a) When this subchapter requires a request, notice, or other document to be submitted or otherwise given to a person within a specified period, the requirement is met in a timely fashion if the document is sent to the person by first class United States mail or common or contract carrier properly addressed with postage or handling charges prepaid and:

(1) it bears a post office cancellation mark or a receipt mark of a common or contract carrier indicating a time within that period; or

(2) the person required to submit or otherwise give the document furnishes satisfactory proof that it was deposited in the mail or with a common or contract carrier within that period.

SECTION 3. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2003.