

By: Whitmire

S.B. No. 919

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

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

24 SECTION 3. This Act takes effect immediately if it receives

S.B. No. 919

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.