

1-1 By: Whitmire S.B. No. 919
1-2 (In the Senate - Filed March 6, 2003; March 11, 2003, read
1-3 first time and referred to Committee on Government Organization;
1-4 April 15, 2003, reported favorably by the following vote: Yeas 6,
1-5 Nays 0; April 15, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the kinds of mail service that may be used under the
1-9 public information law to send a notice or any other document to a
1-10 person.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. The heading to Section 552.308, Government Code,
1-13 is amended to read as follows:

1-14 Sec. 552.308. TIMELINESS OF ACTION BY UNITED STATES MAIL,
1-15 [~~OR~~] INTERAGENCY MAIL, OR COMMON OR CONTRACT CARRIER.

1-16 SECTION 2. Subsection (a), Section 552.308, Government
1-17 Code, is amended to read as follows:

1-18 (a) When this subchapter requires a request, notice, or
1-19 other document to be submitted or otherwise given to a person within
1-20 a specified period, the requirement is met in a timely fashion if
1-21 the document is sent to the person by first class United States mail
1-22 or common or contract carrier properly addressed with postage or
1-23 handling charges prepaid and:

1-24 (1) it bears a post office cancellation mark or a
1-25 receipt mark of a common or contract carrier indicating a time
1-26 within that period; or

1-27 (2) the person required to submit or otherwise give
1-28 the document furnishes satisfactory proof that it was deposited in
1-29 the mail or with a common or contract carrier within that period.

1-30 SECTION 3. This Act takes effect immediately if it receives
1-31 a vote of two-thirds of all the members elected to each house, as
1-32 provided by Section 39, Article III, Texas Constitution. If this
1-33 Act does not receive the vote necessary for immediate effect, this
1-34 Act takes effect September 1, 2003.

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