

1-1 By: Gallegos S.B. No. 439
1-2 (In the Senate - Filed February 9, 2005; February 15, 2005,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 14, 2005, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; March 14, 2005, sent to printer.)

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

1-8 relating to eviction suits in justice courts.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 24.0051, Property Code, is amended by
1-11 adding Subsection (c) to read as follows:

1-12 (c) In a suit to recover possession of the premises, whether
1-13 or not unpaid rent is claimed, the citation required by Rule 739,
1-14 Texas Rules of Civil Procedure, must include the following notice
1-15 to the defendant:

1-16 FAILURE TO APPEAR FOR TRIAL MAY RESULT IN A DEFAULT JUDGMENT BEING
1-17 ENTERED AGAINST YOU.

1-18 SECTION 2. The change in law made by this Act applies only
1-19 to a suit to recover possession of premises filed on or after the
1-20 effective date of this Act. A suit filed before the effective date
1-21 of this Act is governed by the law in effect immediately before that
1-22 date, and that law is continued in effect for that purpose.

1-23 SECTION 3. This Act takes effect September 1, 2005.

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