

Amend **SB 472** (house committee report) as follows:

(1) In SECTION 2 of the bill, in the recital (page 2, line 16), between "adding Subsections" and "(d-1)", insert "(b-2), (b-3), (b-4),".

(2) In SECTION 2 of the bill, in amended Section 51.002, Property Code (page 3, between lines 3 and 4), insert the following:

(b-2) In addition to the notice required under Subsection (b), the county clerk of each county in which the property is located shall provide for notice of the sale to be published in a newspaper of general circulation in the county at least once each week for four consecutive weeks before the date of the sale, with the first publication appearing at least 28 days and not more than 35 days before the date of the sale. The notice must designate the place of the sale and provide a brief description of the property sufficient to identify the location of the property. If all or part of the property is located in a county in which more than 90 percent of residential properties have affordable access to electronic publishing media obtained by broadband technology or the equivalent, the notice must also be posted on the newspaper's Internet website. This subsection does not prohibit a newspaper in a county that does not satisfy that criteria from posting the notice on the newspaper's Internet website or prohibit the county clerk from requesting such a posting, if the published notice is published as the notice of record. The form of the notice must be substantially similar to the following:

NOTICE OF SALE: FORECLOSED PROPERTY

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a foreclosure proceeding was issued on a deed of trust against said lienholder(s), as shown below, by filing a foreclosure proceeding with the county clerk of \_\_\_\_\_ County, Texas, as prescribed by law on the following property located in \_\_\_\_\_ County, Texas, which said lienholder \_\_\_\_\_ (lienholder's name) ought to pay. The lienholder(s) and all interested parties are hereby given notice that a foreclosure auction on said property will be conducted on \_\_\_\_\_ (month/day/year), between the hours of 10 a.m. and 4 p.m. at the \_\_\_\_\_ (name of facility, with city, state, and zip code). (Name of mortgage holder, representative, telephone number, and

address, including city, state, zip code, and any e-mail address).

(b-3) The newspaper in which the notice is published under Subsection (b-2) must hold a second class periodicals mailing permit and be published regularly and continuously in a county in which the property is located. The cost of the notice required under Subsection (b-2) may not exceed the lowest classified rate paid by users for comparable space in the newspaper in which the public notice appears, including all cash discounts, multiple insertion discounts, and similar benefits extended to the newspaper's regular customers. A newspaper that publishes the notice shall submit a bill for publication with a clipping of the published notice and verified statement of the publisher that:

(1) states the charge;

(2) certifies that the rate charged is the newspaper's lowest published rate for classified advertising; and

(3) certifies the number and dates of the publication.

(b-4) Not later than the 25th day following the date of the sale of real property under this section, the lender or the lender's attorney shall execute and file with the county clerk of each county in which the property is located an affidavit that includes the publisher's affidavit required under Subsection (b-3) and states the facts of the sale procedure.