

AN ACT

relating to the issuance of a citation to an owner of real property for a violation of a county or municipal rule or ordinance.

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

SECTION 1. Subsection (a), Section 250.003, Local Government Code, is amended to read as follows:

(a) An individual who is an employee of the owner of real property for which a citation for a violation of a county or municipal rule or ordinance is issued, or of a company that manages the property on behalf of the property owner, is not personally liable for criminal or civil penalties resulting from the violation if, not later than the fifth calendar day after the date the citation is issued, the individual provides the property owner's name, current street address, and telephone number to the enforcement official who issues the citation or the official's superior.

SECTION 2. Section 250.004, Local Government Code, is amended to read as follows:

Sec. 250.004. AGENT FOR SERVICE; NOTICE OF CITATION.

(a) The ~~[If the property owner's street address is not in this state, the]~~ employee of the owner or management company to whom a citation described by Section 250.003 is issued is considered the owner's agent for accepting service of the citation for the violation of the county or municipal rule or ordinance. Service of

1 the citation on the agent has the same legal effect as service on
2 the owner for the purpose of fines against the owner or the
3 property, including a warrant or capias.

4 (b) The county or municipality issuing the citation shall
5 mail notice of the citation to the property owner at the address
6 most recently provided to the county or municipality by the
7 property owner or by the employee of the owner or management company
8 under Section 250.003(a). This subsection does not require a
9 county or municipality to mail notice using a service that provides
10 delivery confirmation.

11 SECTION 3. This Act takes effect January 1, 2010.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1945 passed the Senate on April 23, 2009, by the following vote: Yeas 30, Nays 0; and that the Senate concurred in House amendment on May 29, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1945 passed the House, with amendment, on May 26, 2009, by the following vote: Yeas 142, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor