

1-1 By: West S.B. No. 1945  
1-2 (In the Senate - Filed March 12, 2009; March 24, 2009, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 20, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;  
1-6 April 20, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1945 By: West

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the issuance of a citation to an owner of real property  
1-11 for a violation of a county or municipal rule or ordinance.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Section 250.003, Local  
1-14 Government Code, is amended to read as follows:

1-15 (a) An individual who is an employee of the owner of real  
1-16 property for which a citation for a violation of a county or  
1-17 municipal rule or ordinance is issued, or of a company that manages  
1-18 the property on behalf of the property owner, is not personally  
1-19 liable for criminal or civil penalties resulting from the violation  
1-20 if, not later than the second business day after the date the  
1-21 citation is issued, the individual provides the property owner's  
1-22 name, current street address, and telephone number to the  
1-23 enforcement official who issues the citation or the official's  
1-24 superior.

1-25 SECTION 2. Section 250.004, Local Government Code, is  
1-26 amended to read as follows:

1-27 Sec. 250.004. AGENT FOR SERVICE; NOTICE OF CITATION.

1-28 (a) ~~The [If the property owner's street address is not in this~~  
1-29 ~~state, the]~~ employee of the owner or management company to whom a  
1-30 citation described by Section 250.003 is issued is considered the  
1-31 owner's agent for accepting service of the citation for the  
1-32 violation of the county or municipal rule or ordinance. Service of  
1-33 the citation on the agent has the same legal effect as service on  
1-34 the owner for the purpose of fines against the owner or the  
1-35 property, including a warrant or capias.

1-36 (b) The county or municipality issuing the citation shall  
1-37 mail notice of the citation to the property owner at the address  
1-38 most recently provided to the county or municipality by the  
1-39 property owner or by the employee of the owner or management company  
1-40 under Section 250.003(a). This subsection does not require a  
1-41 county or municipality to mail notice using a service that provides  
1-42 delivery confirmation.

1-43 SECTION 3. This Act takes effect January 1, 2010.

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