

By: Williams

S.B. No. 2197

A BILL TO BE ENTITLED

AN ACT

relating to service of civil process by constables.

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

SECTION 1. Subsection (d), Section 86.021, Local Government Code, is amended to read as follows:

(d) Regardless of the Texas Rules of Civil Procedure, all civil process may be served by a constable in the constable's county or in a county contiguous to the constable's county, except that a constable who is a party to or interested in the outcome of a suit may not serve any process related to the suit. Civil process served by a constable in the constable's county is considered served in the constable's official capacity. Any fee received by a constable for serving civil process in the constable's county must be deposited with the county treasurer.

SECTION 2. The changes in law made by this Act to Subsection (d), Section 86.021, Local Government Code, apply to all process served on or after the effective date of this Act, without regard to whether the process was issued before, on, or after that date.

SECTION 3. This Act takes effect September 1, 2009.