

1-1 By: Williams S.B. No. 2197
1-2 (In the Senate - Filed March 13, 2009; March 31, 2009, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 14, 2009, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 14, 2009, sent to printer.)

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

1-8 relating to service of civil process by constables.

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

1-10 SECTION 1. Subsection (d), Section 86.021, Local Government
1-11 Code, is amended to read as follows:

1-12 (d) Regardless of the Texas Rules of Civil Procedure, all
1-13 civil process may be served by a constable in the constable's county
1-14 or in a county contiguous to the constable's county, except that a
1-15 constable who is a party to or interested in the outcome of a suit
1-16 may not serve any process related to the suit. Civil process served
1-17 by a constable in the constable's county is considered served in the
1-18 constable's official capacity. Any fee received by a constable for
1-19 serving civil process in the constable's county must be deposited
1-20 with the county treasurer.

1-21 SECTION 2. The changes in law made by this Act to Subsection
1-22 (d), Section 86.021, Local Government Code, apply to all process
1-23 served on or after the effective date of this Act, without regard to
1-24 whether the process was issued before, on, or after that date.

1-25 SECTION 3. This Act takes effect September 1, 2009.

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