

BILL ANALYSIS

H.B. 1438
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current state law does not provide a clear or effective way to serve process to certain domestic and foreign entities for the collection of delinquent property taxes. H.B. 1438 provides for the service of process to those entities.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1438 amends the Business Organizations Code, in provisions relating to service of process by a political subdivision or on behalf of a political subdivision in connection with the collection of a delinquent property tax, to include a domestic or foreign limited liability company whose right to transact business in Texas is forfeited or a limited liability company that is involuntarily terminated or whose registration is revoked among the entities on which such a process may be served. The bill makes conforming changes relating to the inclusion of a limited liability company.

H.B. 1438 amends the Civil Practice and Remedies Code, in provisions relating to substituted service in delinquent tax cases, to define "nonresident."

EFFECTIVE DATE

September 1, 2011.