

1-1 By: Madden (Senate Sponsor - Whitmire) H.B. No. 1381  
1-2 (In the Senate - Received from the House April 26, 2011;  
1-3 April 29, 2011, read first time and referred to Committee on  
1-4 Criminal Justice; May 12, 2011, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 12, 2011, sent to printer.)

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

1-8 relating to the service of civil process on an inmate of the Texas  
1-9 Department of Criminal Justice.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 17, Civil Practice and  
1-12 Remedies Code, is amended by adding Section 17.029 to read as  
1-13 follows:

1-14 Sec. 17.029. SERVICE ON INMATE OF TEXAS DEPARTMENT OF  
1-15 CRIMINAL JUSTICE. (a) In this section, "inmate" means a person  
1-16 confined in a facility operated by or under contract with the Texas  
1-17 Department of Criminal Justice.

1-18 (b) In a civil action against an inmate, citation or other  
1-19 civil process may be served on the inmate by serving a person  
1-20 designated under Subsection (c) as an agent for service of civil  
1-21 process.

1-22 (c) The warden of each facility operated by or under  
1-23 contract with the Texas Department of Criminal Justice shall  
1-24 designate an employee at the facility to serve as an agent for  
1-25 service of civil process on inmates confined in the facility.

1-26 (d) An employee designated under Subsection (c) as an agent  
1-27 for service of civil process shall promptly deliver any civil  
1-28 process served on the employee to the appropriate inmate.

1-29 SECTION 2. Not later than December 1, 2011, the warden of  
1-30 each facility operated by or under contract with the Texas  
1-31 Department of Criminal Justice shall designate an employee at the  
1-32 facility to serve as an agent for service of civil process as  
1-33 required by Section 17.029, Civil Practice and Remedies Code, as  
1-34 added by this Act.

1-35 SECTION 3. This Act takes effect September 1, 2011.

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