

1-1 By: Naishtat (Senate Sponsor - Harris) H.B. No. 1830
1-2 (In the Senate - Received from the House May 4, 2011;
1-3 May 5, 2011, read first time and referred to Committee on
1-4 Jurisprudence; May 18, 2011, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 18, 2011, sent to printer.)

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

1-8 relating to the method of delivery of certain notices sent by
1-9 statutory probate court associate judges.

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

1-11 SECTION 1. Sections 54.614(c) and (d), Government Code, are
1-12 amended to read as follows:

1-13 (c) Notice may be given to the parties:

1-14 (1) in open court, by an oral statement or a copy of
1-15 the associate judge's written report;

1-16 (2) by certified mail, return receipt requested; ~~[or]~~

1-17 (3) by facsimile transmission; or

1-18 (4) by electronic mail.

1-19 (d) There is a rebuttable presumption that notice is
1-20 received on the date stated on:

1-21 (1) the signed return receipt, if notice was provided
1-22 by certified mail; ~~[or]~~

1-23 (2) the confirmation page produced by the facsimile
1-24 machine, if notice was provided by facsimile transmission; or

1-25 (3) a printout evidencing submission of the electronic
1-26 mail message, if notice was provided by electronic mail.

1-27 SECTION 2. This Act takes effect immediately if it receives
1-28 a vote of two-thirds of all the members elected to each house, as
1-29 provided by Section 39, Article III, Texas Constitution. If this
1-30 Act does not receive the vote necessary for immediate effect, this
1-31 Act takes effect September 1, 2011.

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