

By: Gooden

H.B. No. 2064

A BILL TO BE ENTITLED

AN ACT

relating to an unsworn declaration made by an employee of a state agency or political subdivision or a private process server in the performance of the employee's or server's job duties.

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

SECTION 1. Section 132.001, Civil Practice and Remedies Code, is amended by amending Subsection (d) and adding Subsections (f) and (g) to read as follows:

(d) Except as provided by Subsections [~~Subsection~~] (e), (f), and (g), an unsworn declaration made under this section must include a jurat in substantially the following form:

"My name is \_\_\_\_\_, my  
(First) (Middle) (Last)  
date of birth is \_\_\_\_\_, and my address is  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_,  
(Street) (City) (State) (Zip Code)  
and \_\_\_\_\_. I declare under penalty of  
(Country)  
perjury that the foregoing is true and correct.

Executed in \_\_\_\_\_ County, State of \_\_\_\_\_, on  
the \_\_\_\_\_ day of \_\_\_\_\_,  
(Month) (Year)

\_\_\_\_\_  
Declarant"

1       (f) An unsworn declaration made under this section by an  
2 employee of a state agency or a political subdivision in the  
3 performance of the employee's job duties, must include a jurat in  
4 substantially the following form:

5               "My name is \_\_\_\_\_,

6                               (First)           (Middle)           (Last)

7       and I am an employee of the following governmental  
8 agency: \_\_\_\_\_.    I am executing this  
9 declaration as part of my assigned duties and  
10 responsibilities. I declare under penalty of perjury  
11 that the foregoing is true and correct.

12               Executed in \_\_\_\_\_ County, State of

13 \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

14   (Month)    (Year)

15   \_\_\_\_\_  
16   Declarant"

17       (g) An unsworn declaration made under this section by a  
18 private process server in the performance of the server's job  
19 duties, must include a jurat in substantially the following form:

20               "My name is \_\_\_\_\_,

21                               (First)           (Middle)           (Last)

22       and I am a private process server with the following  
23 Process Server Review Board identification number:

24 \_\_\_\_\_.    I am executing this declaration

25 as part of my assigned duties and responsibilities. I  
26 declare under penalty of perjury that the foregoing is  
27 true and correct.

1 Executed in \_\_\_\_\_ County, State of

2 \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_.

3 (Month) (Year)

4 \_\_\_\_\_  
5 Declarant"

6 SECTION 2. Sections 132.001(f) and (g), Civil Practice and  
7 Remedies Code, as added by this Act, apply only to an unsworn  
8 declaration executed on or after the effective date of this Act. An  
9 unsworn declaration executed before the effective date of this Act  
10 is governed by the law in effect immediately before the effective  
11 date of this Act, and that law is continued in effect for that  
12 purpose.

13 SECTION 3. This Act takes effect September 1, 2013.