

By: Duncan

S.B. No. 422

A BILL TO BE ENTITLED

AN ACT

relating to service of citation on a financial institution.

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

SECTION 1. Section 17.028, Civil Practice and Remedies Code, is amended by amending Subsections (b) and (c) and adding Subsection (f) to read as follows:

(b) Except as provided by Subsection (c), ~~[in an action against a financial institution,~~] citation may be served on a financial institution by:

(1) serving the registered agent of the financial institution; or

(2) if the financial institution does not have a registered agent, serving the president or a branch manager at any office located in this state.

(c) Citation ~~[In an action against a credit union organized under the laws of this state, another state, or federal law, citation]~~ may be served on a credit union by:

(1) serving the registered agent of the credit union; or

(2) if the credit union does not have a registered agent, serving the president or vice president.

(f) Service on and delivery to a financial institution of claims against a customer of the financial institution are governed by Section 59.008, Finance Code.

1           SECTION 2. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2013.