

By: Smith

H.B. No. 2681

A BILL TO BE ENTITLED

AN ACT

relating to information required in a notice of sale of real property under contract lien.

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

SECTION 1. Section 51.002, Property Code, is amended by amending Subsection (i) and adding Subsections (j) and (k) to read as follows:

(i) Notice served on a debtor under this section must state:

(1) the name and address of the sender of the notice;

and

(2) except as provided by Subsection (j), the name, telephone number, facsimile number, e-mail address, and street address of:

(A) each substitute trustee authorized to exercise the power of sale under the deed of trust; or

(B) if a substitute trustee authorized to exercise the power of sale under the deed of trust has not been appointed, the trustee authorized to exercise the power of sale under the deed of trust.

(j) Subsection (i)(2) does not apply to a notice of sale of real property under contract lien served on a debtor by:

(1) a condominium regime under Chapter 81;

(2) a unit owners' association under Chapter 82; or

(3) a property owners' association under Chapter 209.

1 (k) In [~~contain, in~~] addition to any other statements
2 required under this section, notice served on a debtor under this
3 section must contain a statement that is conspicuous, printed in
4 boldface or underlined type, and substantially similar to the
5 following: "Assert and protect your rights as a member of the
6 armed forces of the United States. If you are or your spouse is
7 serving on active military duty, including active military duty as
8 a member of the Texas National Guard or the National Guard of
9 another state or as a member of a reserve component of the armed
10 forces of the United States, please send written notice of the
11 active duty military service to the sender of this notice
12 immediately."

13 SECTION 2. The changes in law made by this Act apply only to
14 a notice of sale given on or after the effective date of this Act. A
15 notice of sale given before the effective date of this Act is
16 governed by the law as it existed when the notice was given, and the
17 former law is continued in effect for that purpose.

18 SECTION 3. This Act takes effect September 1, 2015.