

By: Smith

H.B. No. 2681

A BILL TO BE ENTITLED

1 AN ACT
2 relating to information required in a notice of sale of real
3 property under contract lien.

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

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

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

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

10 and

11 (2) the name, telephone number, facsimile number,
12 e-mail address, and street address of:

13 (A) the trustee named in the deed of trust
14 authorized to exercise the power of sale; and

15 (B) if applicable, the substitute trustee
16 authorized to exercise the power of sale under the deed of trust.

17 (j) In [contain, in] addition to any other statements
18 required under this section, notice served on a debtor under this
19 section must contain a statement that is conspicuous, printed in
20 boldface or underlined type, and substantially similar to the
21 following: "Assert and protect your rights as a member of the
22 armed forces of the United States. If you are or your spouse is
23 serving on active military duty, including active military duty as
24 a member of the Texas National Guard or the National Guard of

1 another state or as a member of a reserve component of the armed
2 forces of the United States, please send written notice of the
3 active duty military service to the sender of this notice
4 immediately."

5 SECTION 2. Section 51.002(i), Property Code, as amended by
6 this Act, applies only to a notice of sale given on or after the
7 effective date of this Act. A notice of sale given before the
8 effective date of this Act is governed by the law as it existed when
9 the notice was given, and the former law is continued in effect for
10 that purpose.

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