

1-1 By: West S.B. No. 1116  
1-2 (In the Senate - Filed March 9, 2015; March 16, 2015, read  
1-3 first time and referred to Committee on State Affairs;  
1-4 April 22, 2015, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 22, 2015,  
1-6 sent to printer.)

1-7 COMMITTEE VOTE

1-8		Yea	Nay	Absent	PNV
1-9	Huffman	X			
1-10	Ellis	X			
1-11	Birdwell	X			
1-12	Creighton	X			
1-13	Estes	X			
1-14	Fraser	X			
1-15	Nelson	X			
1-16	Schwertner	X			
1-17	Zaffirini	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1116 By: Ellis

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to a notice or document sent by mail or electronic mail by  
1-22 a court, justice, judge, magistrate, or clerk of a judicial court.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subtitle F, Title 2, Government Code, is amended  
1-25 by adding Chapter 80 to read as follows:

1-26 CHAPTER 80. DELIVERY OF NOTICE AND DOCUMENTS

1-27 Sec. 80.001. DELIVERY OF NOTICE OR DOCUMENT. A court,  
1-28 justice, judge, magistrate, or clerk may send any notice or  
1-29 document by a method authorized by Section 80.002.

1-30 Sec. 80.002. AUTHORIZED DELIVERY OF NOTICE OR DOCUMENT. A  
1-31 court, justice, judge, magistrate, or clerk may send any notice or  
1-32 document using mail or electronic mail. This section applies to all  
1-33 civil and criminal statutes requiring delivery of a notice or  
1-34 document.

1-35 Sec. 80.003. ELECTRONIC MAIL ADDRESS. (a) If electronic  
1-36 mail is used to send a notice or document and the person who will  
1-37 receive the notice or document is registered with the electronic  
1-38 filing system established under Section 72.031, as added by Chapter  
1-39 1290 (H.B. 2302), Acts of the 83rd Legislature, Regular Session,  
1-40 2013, the court, justice, judge, magistrate, or clerk sending the  
1-41 notice or document must use the electronic mail address on file with  
1-42 the electronic filing system, if the court uses the electronic  
1-43 filing system.

1-44 (b) If electronic mail is used to send a notice or document  
1-45 and the person who will receive the notice or document is not  
1-46 registered with the electronic filing system established under  
1-47 Section 72.031, as added by Chapter 1290 (H.B. 2302), Acts of the  
1-48 83rd Legislature, Regular Session, 2013, or the court does not use  
1-49 the electronic filing system, the court, justice, judge,  
1-50 magistrate, or clerk must use the electronic mail address provided  
1-51 by the person.

1-52 Sec. 80.004. MAIL. (a) The definition of mail in this  
1-53 chapter includes:

- 1-54 (1) first-class mail;  
1-55 (2) first-class United States mail;  
1-56 (3) ordinary or regular mail; and  
1-57 (4) international first-class mail.

1-58 (b) The definition of mail in this chapter does not include:

- 1-59 (1) any form of mail that requires proof of delivery;  
1-60 (2) certified mail;

2-1 (3) certified mail or a comparable mailing method that  
 2-2 provides proof of delivery;  
 2-3 (4) certified mail, restricted delivery;  
 2-4 (5) certified mail, return receipt requested;  
 2-5 (6) delivery by the United States Postal Service using  
 2-6 a signature confirmation service;  
 2-7 (7) documents delivered by common or contract  
 2-8 carriers, including Federal Express or United Parcel Service;  
 2-9 (8) express mail offered by the United States Postal  
 2-10 Service;  
 2-11 (9) first-class mail, return receipt requested;  
 2-12 (10) freight mail;  
 2-13 (11) interagency mail;  
 2-14 (12) international registered mail, return receipt  
 2-15 requested;  
 2-16 (13) mail, return receipt requested;  
 2-17 (14) personal service or hand delivery;  
 2-18 (15) prepaid registered mail;  
 2-19 (16) registered mail;  
 2-20 (17) registered mail, return receipt requested; and  
 2-21 (18) certified or registered mail, restricted  
 2-22 delivery, return receipt requested.

2-23 Sec. 80.005. ELECTRONIC MAIL. (a) Authorized methods of  
 2-24 delivering a notice or document by electronic mail include:

2-25 (1) electronic notice sent through the electronic  
 2-26 filing system under Section 72.031, as added by Chapter 1290 (H.B.  
 2-27 2302), Acts of the 83rd Legislature, Regular Session, 2013;  
 2-28 (2) electronic notice;  
 2-29 (3) electronic mail messages;  
 2-30 (4) e-mail; and  
 2-31 (5) secure electronic mail.

2-32 (b) Authorized methods of delivering a notice or document by  
 2-33 electronic mail do not include:

2-34 (1) facsimiles;  
 2-35 (2) instant messaging;  
 2-36 (3) messages on a social network website, including  
 2-37 Facebook and Twitter;  
 2-38 (4) telegraphs;  
 2-39 (5) telephone messages;  
 2-40 (6) text messages;  
 2-41 (7) videoconferencing;  
 2-42 (8) voice messages; or  
 2-43 (9) webcams.

2-44 SECTION 2. This Act takes effect September 1, 2015.

2-45 \* \* \* \* \*