

House Bill 3463
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 31.04, Penal Code, is amended by adding Subsection (b-1) and amending Subsections (c) and (d) to read as follows:

(b-1) For purposes of Subsection (a)(4), notice must be:

(1) in writing;

(2) sent by:

(A) registered or certified mail with return receipt requested;

(B) commercial delivery service;

(C) e-mail;

(D) text message; or

(E) another form of written communication; and

(3) sent to the actor using the actor's mailing address, e-mail address, phone number, or other method of contact, as appropriate, shown on:

(A) the rental agreement or service agreement;

(B) records of the person whose service was secured; or

(C) if the actor secured performance of service by issuing or passing a check or similar sight order for the payment of money, using the actor's address shown on:

(i) the check or order; or

(ii) the records of the bank or other drawee on which the check or order is drawn.

(c) For purposes of Subsections [~~(a)(4),~~] (b)(2), (b)(4), and (b)(5), notice must be:

(1) in writing;

(2) sent by:

(A) registered or certified mail with return receipt requested;
or

(B) commercial delivery service; and

(3) sent to the actor using the actor's mailing address shown on:

(A) the rental agreement or service agreement;

SENATE VERSION (CS)

SECTION 1. Section 31.04, Penal Code, is amended by adding Subsection (b-1) and amending Subsections (c) and (d) to read as follows:

(b-1) For purposes of Subsection (a)(4), notice must be:

(1) in writing;

(2) sent by:

(A) registered or certified mail with return receipt requested;

(B) commercial delivery service;

(C) e-mail; or

(D) text message; and

(3) sent to the actor using the actor's mailing address, e-mail address, phone number, or other method of contact, as appropriate, shown on:

(A) the rental agreement or service agreement;

(B) records of the person whose service was secured; or

(C) if the actor secured performance of service by issuing or passing a check or similar sight order for the payment of money, using the actor's address shown on:

(i) the check or order; or

(ii) the records of the bank or other drawee on which the check or order is drawn.

(c) For purposes of Subsections [~~(a)(4),~~] (b)(2), (b)(4), and (b)(5), notice must be:

(1) in writing;

(2) sent by:

(A) registered or certified mail with return receipt requested;
or

(B) commercial delivery service; and

(3) sent to the actor using the actor's mailing address shown on:

(A) the rental agreement or service agreement;

CONFERENCE

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HOUSE VERSION	SENATE VERSION (CS)	CONFERENCE
<p>(B) records of the person whose service was secured; or</p> <p>(C) if the actor secured performance of service by issuing or passing a check or similar sight order for the payment of money, using the actor's address shown on:</p> <p>(i) the check or order; or</p> <p>(ii) the records of the bank or other drawee on which the check or order is drawn.</p> <p>(d) Except as otherwise provided by this subsection, if written notice is given in accordance with Subsection <u>(b-1)</u> or (c), it is presumed that the notice was received not later than two days after the notice was sent. For purposes of Subsections (b)(4)(A) and (B) and (b)(5), if written notice is given in accordance with Subsection (c), it is presumed that the notice was received not later than five days after the notice was sent.</p>	<p>(B) records of the person whose service was secured; or</p> <p>(C) if the actor secured performance of service by issuing or passing a check or similar sight order for the payment of money, using the actor's address shown on:</p> <p>(i) the check or order; or</p> <p>(ii) the records of the bank or other drawee on which the check or order is drawn.</p> <p>(d) Except as otherwise provided by this subsection, if written notice is given in accordance with Subsection <u>(b-1)</u> or (c), it is presumed that the notice was received not later than two days after the notice was sent. For purposes of Subsections (b)(4)(A) and (B) and (b)(5), if written notice is given in accordance with Subsection (c), it is presumed that the notice was received not later than five days after the notice was sent.</p>	
<p>SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.</p>	<p>SECTION 2. Same as House version.</p>	
<p>SECTION 3. This Act takes effect September 1, 2025.</p>	<p>SECTION 3. Same as House version.</p>	