

By: Huffman
(Thompson)

S.B. No. 428

A BILL TO BE ENTITLED

1 AN ACT

2 relating to notice to a judgment debtor of the filing of a foreign
3 judgment.

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

5 SECTION 1. Section 35.004, Civil Practice and Remedies
6 Code, is amended by amending Subsection (b) and adding Subsection
7 (d) to read as follows:

10 (1) promptly mail notice of the filing of the foreign
11 judgment to the judgment debtor at the address provided for the
12 judgment debtor under Subsection (a); and

15 (d) On receipt of proof of mailing under Subsection (b), the
16 clerk of the court shall note the mailing in the docket.

17 SECTION 2. Section 35.005, Civil Practice and Remedies
18 Code, is repealed.

19 SECTION 3. The change in law made by this Act applies only
20 to the filing of a foreign judgment on or after the effective date
21 of this Act. The filing of a foreign judgment before the effective
22 date of this Act is governed by the law in effect immediately before
23 that date, and that law is continued in effect for that purpose.

24 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2011.