

## **BILL ANALYSIS**

Senate Research Center  
76R1754 MCK-D

S.B. 211  
By: Duncan  
State Affairs  
2/8/1999  
As Filed

### **DIGEST**

Currently, in Texas there is a statutory presumption that a party or attorney is notified of a decision in an administrative hearing before a state agency on the date on which the notice is mailed. With postal delivery concerns, actual notification can be several days later. This bill establishes the presumption of notice on the third day after the date on which the notice is mailed.

### **PURPOSE**

As proposed, S.B. 211 establishes the presumption of notice of a decision in an administrative hearing before a state agency.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 2001.142(c), Government Code, to provide that a party or attorney of record notified by mail is presumed to have been notified on the third day after the date on which the notice is mailed.

SECTION 2. Effective date: September 1, 1999.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.