

BILL ANALYSIS

Senate Research Center

S.B. 1945
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Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The bill closes a loophole whereby municipal authorities have been unable to serve legal notice of code violations at certain apartment developments.

As proposed, S.B. 1945 amends current law relating to the personal liability of, and acceptance of service of citation by, an employee of the owner of real property or of a company that manages real property.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 250.003(a), Local Government Code, to provide that an individual who is an employee of the owner of real property for which a citation for a violation of a county or municipal rule or ordinance is issued, or of a company that manages the property on behalf of the property owner, is not personally liable for criminal or civil penalties resulting from the violation if the individual provides the property owner's name, current street address, and telephone number to the enforcement official who issues the citation or the official's superior within 24 hours of the citation.

SECTION 2. Amends Section 250.004, Local Government Code, to provide that the employee of the owner or management company to whom a citation described by Section 250.003 is issued is considered the owner's agent for accepting service of the citation for the violation of the county or municipal rule or ordinance. Deletes existing text providing that the employee of the owner management company is considered the owner's agent if the property owner's street address is not in this state.

SECTION 3. Effective date: September 1, 2009.