PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

June 17, 1977

As provided under the provisions of Section 14, Article IV of the Constitution of the State of Texas, I disapprove of S.B. No. 941 and am filing same with the Secretary of State setting forth the following objections:

I disapprove of Senate Bill No. 941, which permits the posting at the courthouse door of service of citation in suits to collect delinquent property taxes in which the costs of citation by publication exceed the amount of the taxes due and owing. The Texas Rules of Civil Procedure promulgated by the Supreme Court of Texas provide the proper methods of service of citation in delinquent property tax cases and the Supreme Court has full power and authority to modify the civil rules where changes are appropriate. The Supreme Court has established procedures for interested persons to apply to the Court to request rules changes and the Supreme Court should be given an opportunity to consider the changes proposed by Senate Bill No. 941 through the Court's review procedures. Although simplified methods of collecting delinquent property taxes are appropriate, the state and other taxing units should follow the strictest demands of due process and provide adequate notice to all persons who are delinquent in their taxes. It should be noted that even small amounts of delinquenc can result in the forced sale of property. The Supreme Court is highly qualified to determine the requirements of due process and balance those requirements with efficient and inexpensive methods to collect delinquent property taxes.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the seal of the State of Texas to be affixed hereto at Austin, Texas, this 17th day of June, 1977.

DOLPH BRISCOE
Governor of Texas

MARK WHITE
Secretary of State