

By: Leach

H.B. No. 1989

A BILL TO BE ENTITLED

AN ACT

relating to substituted service of citation through a social media website.

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

SECTION 1. Subchapter B, Chapter 17, Civil Practice and Remedies Code, is amended by adding Section 17.031 to read as follows:

Sec. 17.031. SUBSTITUTED SERVICE THROUGH SOCIAL MEDIA WEBSITE. (a) If substituted service of citation is authorized under the Texas Rules of Civil Procedure, the court may prescribe as a method of service under those rules an electronic communication sent to the defendant through a social media website if the court finds that:

(1) the defendant maintains a social media page on that website;

(2) the profile on the social media page is the profile of the defendant;

(3) the defendant regularly accesses the social media page account; and

(4) the defendant could reasonably be expected to receive actual notice if the electronic communication were sent to the defendant's account.

(b) Notwithstanding Section 22.004, Government Code, the supreme court may not amend or adopt rules in conflict with this

1 section.

2 SECTION 2. This Act takes effect September 1, 2013.