

## 1 AN ACT

2 relating to the service of citation by publication in a suit  
3 affecting the parent-child relationship and to the eligibility of  
4 certain child-support obligors for state grants, loans, or  
5 contracts.

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

7 SECTION 1. Section 102.010, Family Code, is amended by  
8 adding Subsections (d) and (e) to read as follows:

9 (d) In any suit in which service of citation is by  
10 publication, a statement of the evidence of service, approved and  
11 signed by the court, must be filed with the papers of the suit as a  
12 part of the record.

13 (e) In a suit filed under Chapter 161 or 262 in which the  
14 last name of the respondent is unknown, the court may order  
15 substituted service of citation by publication, including  
16 publication by posting the citation at the courthouse door for a  
17 specified time, if the court finds and states in its order that the  
18 method of substituted service is as likely as citation by  
19 publication in a newspaper in the manner described by Subsection  
20 (b) to give the respondent actual notice of the suit. If the court  
21 orders that citation by publication shall be completed by posting  
22 the citation at the courthouse door for a specified time, service  
23 must be completed on, and the answer date is computed from, the  
24 expiration date of the posting period. If the court orders another

1 method of substituted service of citation by publication, service  
2 shall be completed as directed by the court.

3 SECTION 2. Section 231.006(b), Family Code, is amended to  
4 read as follows:

5 (b) A child support obligor or business entity ineligible to  
6 receive payments under Subsection (a) remains ineligible until:

7 (1) all arrearages have been paid; [~~or~~]

8 (2) the obligor is in compliance with a written  
9 repayment agreement or court order as to any existing delinquency;  
10 or

11 (3) the court of continuing jurisdiction over the  
12 child support order has granted the obligor an exemption from  
13 Subsection (a) as part of a court-supervised effort to improve  
14 earnings and child support payments.

15 SECTION 3. This Act takes effect September 1, 2003, and  
16 applies only to a suit affecting the parent-child relationship  
17 filed on or after that date. A suit affecting the parent-child  
18 relationship filed before the effective date of this Act is  
19 governed by the law in effect on the date that the suit was filed,  
20 and the former law is continued in effect for that purpose.

David Newkum

President of the Senate

Jim Caddick

Speaker of the House

I certify that H.B. No. 518 was passed by the House on April 24, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 518 on May 31, 2003, by a non-record vote.

Robert Haney  
Chief Clerk of the House

I certify that H.B. No. 518 was passed by the Senate, with amendments, on May 28, 2003, by a viva-voce vote.

Dorothy Law  
Secretary of the Senate

APPROVED:

W J U N 03

Date

Rick Perry  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
8:30/12 O'CLOCK

Ann Shea  
JUN 20 2003  
Secretary of State