

CHAPTER 288

H.B. No. 372

AN ACT

relating to service of citation on corporations and joint-stock associations.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 17.023, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 17.023. SERVICE ON ~~[CORPORATION OR]~~ JOINT-STOCK ASSOCIATION. (a) In an action against a ~~[corporation or]~~ joint-stock association, citation may be served by:

(1) serving the president, vice-president, secretary, cashier, assistant cashier, or treasurer of the ~~[corporation or]~~ association;

(2) serving the local agent of the ~~[corporation or]~~ association in the county in which the suit is brought; or

(3) leaving a copy of the citation at the principal office of the ~~[corporation or]~~ association during office hours.

(b) If no officer on whom citation may be served resides in the county in which suit is brought and the ~~[corporation or]~~ association has no agent in that county, citation may be served on any agent representing the ~~[corporation or]~~ association in this state.

SECTION 2. This Act applies to:

(1) an action for which the original petition is filed on or after the effective date of this Act; and

(2) an action in which the jurisdiction of a court over the person or property of a party has been challenged on the ground that the party was not properly served citation and the challenge has not been finally resolved, because of an appeal or otherwise, on the effective date of this Act.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 2, 1987, by a non-record vote. Passed by the Senate on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 11, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.