

A BILL TO BE ENTITLED

AN ACT

relating to service of process; creating a penalty.

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 Sections 17.028 and 17.029 to read as follows:

Sec. 17.028. RETURN OF SERVICE. (a) A person who serves process shall complete a return of service that is endorsed on or attached to the original process issued and must:

(1) state when process was served;

(2) state on whom process was served; and

(3) be signed under penalty of perjury by the person making the service.

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

SECTION 2. Subsection (b), Section 17.065, Civil Practice and Remedies Code, is amended to read as follows:

(b) The return of service under this section shall be endorsed on or attached to the original process issued and must:

(1) state when it was served;

(2) state on whom it was served; and

(3) be signed under penalty of perjury [~~and sworn to~~] by the party making the service [~~before a person authorized by law to make an affidavit under his hand and seal~~].