

BILL ANALYSIS

Senate Research Center
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S.B. 1268
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As Filed

DIGEST

Currently, a municipality does not have specific authority to send a notice of nuisance to a property owner's address, which is supplied by the appraisal district. Some property owners do not accept their certified mail from counties, to avoid lawfully receiving notices; the mail is returned as refused or unclaimed. S.B. 1268 would authorize a municipality to send a notice of a nuisance violation to the address listed in the property owner's appraisal district record, and would provide that notices with addresses returned to a municipality by the U.S. Postal Service marked refused or unclaimed are considered as delivered.

PURPOSE

As proposed, S.B. 1268 authorizes a municipality to send a notice of a nuisance violation to the address provided in the appraisal district record.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 342.006, Health and Safety Code, by amending Subsection (b), adding a new Subsection (c), and redesignating existing Subsection (c) as Subsection (d), to require the notice to be given by a letter addressed to the owner at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located. Provides that the validity of the notice is not affected, and the notice is considered as delivered, if a municipality mails a notice to a property owner in accordance with Subsection (b), and the United States Postal Service returns the notice as "refused" or "unclaimed." Deletes text regarding the owner's post office address. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.