

By: Gooden

H.B. No. 2067

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the liability of a person granting access to a gated
3 community to a process server.

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

5 SECTION 1. Subchapter B, Chapter 17, Civil Practice and
6 Remedies Code, is amended by adding Section 17.032 to read as
7 follows:

8 Sec. 17.032. SERVICE AT GATED COMMUNITY. (a) In this
9 section:

10 (1) "Civil process" means all process issued or
11 sanctioned by a civil court.

12 (2) "Gated community" means a residential subdivision
13 or housing development that contains two or more dwellings not
14 under common ownership and that has a vehicular or pedestrian gate.

15 (3) "Process server" means a person certified by the
16 supreme court who serves civil process.

17 (b) A property owner, manager, or security guard who in the
18 exercise of reasonable care grants access to a gated community to a
19 process server, constable, or sheriff for delivery of process is
20 not liable for any damages that may arise as a result of that act.

21 SECTION 2. Section 17.032, Civil Practice and Remedies
22 Code, as added by this Act, applies to all process served on or
23 after the effective date of this Act, without regard to whether the
24 process was issued before, on, or after that date.

1 SECTION 3. This Act takes effect September 1, 2013.