

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 2509</b>
<b>Version:</b>	<b>FA1</b>
<b>Request Number:</b>	<b>7648</b>
<b>Author:</b>	<b>Rep. Kannady</b>
<b>Date:</b>	<b>3/1/2021</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

HB 2509 clarifies the procedure for a default judgment. The measure provides that nothing in law or court rule is to be construed to require a motion for default judgment, with or without notice, if after service of summons and petition, a defendant fails to file with the court clerk an appearance, answer, motion, pleading, or response. Contact or communication with the plaintiff or attorney of the plaintiff does not constitute an appearance unless the contact or communication is also filed by the defaulting party in writing with the court clerk.

**The Floor Substitute** clarifies the language in subsection H to better provide for the process in which a motion for default judgment is not required.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

HB 2509 clarifies the procedure for a default judgement.

The floor substitute for HB 2509 clarifies the language of subsection H to better provide for the process in which a motion for default judgement is not required.

No direct impact to state revenues or expenditures is anticipated from passage of the measure.

Prepared By: Clayton Mayfield

**Other Considerations**

None.