

BILL ANALYSIS

C.S.H.B. 723
By: Van Arsdale
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, an attorney of record files a form prescribed by the Bureau of Vital Statistics ("Bureau") for any divorce or annulment with the district clerk, who then forwards the form to the Bureau. If any information on the submitted form is incomplete or incorrect, the Bureau returns the form directly to the attorney of record for completion/correction.

In order to increase efficiency for the Bureau, as well as lessen the chance of a form's return for correction, C.S.H.B. 723 provides that the district clerk shall complete the following prescribed information if it has been omitted from the form submitted by the attorney of record:

- the date the divorce or annulment of marriage was granted; and
- the court and the style and docket number of the case in which the divorce or annulment of marriage was granted.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 194.002(d) of the Health & Safety Code to provide that if a report for each divorce or annulment does not include the information required by Subsection (a) (3) or (4) (see description above), the district clerk must complete that information on the report before the clerk files the report with the Bureau.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The original bill requires that, before the district clerk files a report for each divorce or annulment with the Bureau, the clerk must verify that the report includes all the information required by Subsection (a) of Section 194.002, Health and Safety Code. The substitute provides that if a report for each divorce or annulment does not include the information required by Subsection (a) (3) or (4), the district clerk must complete that information on the report before the clerk files the report with the Bureau.