

## **BILL ANALYSIS**

Senate Research Center  
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S.B. 699  
By: Carona  
Jurisprudence  
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### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, Section 30.015, Civil Practice and Remedies Code, requires that a party or the party's attorney in a civil action provide the clerk of the court with the party's name and current residence or business address. Section 52.003(a), Property Code, requires that this identifying information be contained in an abstract of judgment along with the birth date of the defendant, if available to the clerk or justice. The information required is often insufficient to identify the person against whom the judgment is entered, making it difficult to collect amounts owed under abstracts of judgment.

As proposed, S.B. 699 requires that the party or party's attorney in a civil action also provide the last two numbers of each party's driver's license number and the last four numbers of each party's Social Security number to the clerk of the court within a specified amount of time after the lawsuit is filed. S.B. 699 also requires this additional information to be included in an abstract of judgment.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 30.015, Civil Practice and Remedies Code, as follows:

Sec. 30.015. New heading: PROVISION OF CURRENT IDENTIFYING INFORMATION OF PARTY IN CIVIL ACTION. (a) Requires each party or party's attorney in a civil action filed in a district court, county court, statutory county court, or statutory probate court, to provide the clerk of the court with proof, rather than written notice, of the party's name and current residence or business address, driver's license number, and social security number. Requires the court to ensure that the clerk of the court takes appropriate steps so that only the last two numbers of the driver's license and the last four numbers of the social security number are available to the public, and authorizes the clerk to redact or otherwise remove the other numbers from all documents associated with the action.

(b) Prohibits the proof, rather than notice, required by Subsection (a) from being required from any party or party's attorney if such party has not appeared or answered in the civil action.

(c) Makes conforming changes. Requires the clerk of the court to request the information on or before the 21st day after the date the party files its initial pleading if the proof of the information is not contained in the initial pleading.

(d) Requires the party or the party's attorney, if the party's information required by Subsection (a), rather than the party's address, changes during the course of a civil action, to provide the clerk of the court with proof, rather than written notice, of the party's new information.

(e) Authorizes the trial court to assess a fine against the party of not more than \$500, rather than \$50, if the party or the party's attorney fails to provide the proof required by Subsection (a). Makes conforming and nonsubstantive changes.

(f) Provides that it is not a defense to a fine assessed under this section that the party or the party's attorney could not reasonably obtain and provide the information required by Subsection (a).

SECTION 2. Amends Section 52.003(a), Property Code, to make conforming changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.