

By: Darby

H.B. No. 2104

A BILL TO BE ENTITLED

AN ACT

relating to the use of driver's license and social security numbers  
in certain court documents.

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

SECTION 1. Section 30.015, Civil Practice and Remedies  
Code, is amended to read as follows:

Sec. 30.015. PROVISION OF CURRENT IDENTIFYING INFORMATION  
[ADDRESS] OF PARTY IN CIVIL ACTION. (a) In a civil action filed in  
a district court, county court, statutory county court, or  
statutory probate court, each party or the party's attorney must  
provide the clerk of the court with proof ~~[written notice]~~ of the  
party's name and current residence or business address, driver's  
license number, and social security number. The court shall 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 the  
clerk may redact or otherwise remove the other numbers from all  
documents associated with the action.

(b) The proof ~~[notice]~~ required by Subsection (a) may not be  
required from any party or party's attorney if such party has not  
appeared or answered in the civil action.

(c) The proof ~~[notice]~~ required by Subsection (a) must be  
provided at the time the party files its initial pleading with the  
court or not later than the seventh day after the date the clerk of

1 the court requests the information. The clerk of the court shall  
2 request the information on or before the 21st day after the date the  
3 party files its initial pleading if the proof of the information is  
4 not contained in the initial pleading.

5 (d) If the party's information required by Subsection (a)  
6 ~~[address]~~ changes during the course of a civil action, the party or  
7 the party's attorney must provide the clerk of the court with proof  
8 ~~[written notice]~~ of the party's new information ~~[address]~~.

9 (e) If the party or the party's attorney fails to provide  
10 the proof ~~[notice]~~ required by Subsection (a), the trial court may  
11 assess a fine against the party of not more than \$500 ~~[\$50]~~.

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

15 SECTION 2. Section 52.003(a), Property Code, is amended to  
16 read as follows:

17 (a) An abstract of a judgment must show:

18 (1) the names of the plaintiff and defendant;  
19 (2) the birthdate ~~[and driver's license number]~~ of the  
20 defendant, if available to the clerk or justice;

21 (3) the last two numbers of the driver's license of the  
22 defendant;

23 (4) the last four numbers of the social security  
24 number of the defendant;

25 (5) the the number of the suit in which the judgment was  
26 rendered;

27 (6) [4] ~~[4]~~ the defendant's address, or if the address

1 is not shown in the suit, the nature of citation and the date and  
2 place of service of citation;

3 (7) [~~(5)~~] the date on which the judgment was rendered;

4 (8) [~~(6)~~] the amount for which the judgment was  
5 rendered and the balance due;

6 (9) [~~(7)~~] the amount of the balance due, if any, for  
7 child support arrearage; and

8 (10) [~~(8)~~] the rate of interest specified in the  
9 judgment.

10 SECTION 3. (a) Section 30.015, Civil Practice and Remedies  
11 Code, as amended by this Act, applies only to a civil action  
12 commenced on or after the effective date of this Act. A civil  
13 action commenced before the effective date of this Act is governed  
14 by the law in effect immediately before the change in law made by  
15 this Act, and that law is continued in effect for that purpose.

16 (b) Section 52.003(a), Property Code, as amended by this  
17 Act, applies only to an abstract of judgment prepared on or after  
18 the effective date of this Act.

19 SECTION 4. This Act takes effect September 1, 2007.