

By: Carona

S.B. No. 699

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the use of driver's license and social security numbers
3 in certain court documents.

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

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

7 Sec. 30.015. PROVISION OF CURRENT IDENTIFYING INFORMATION
8 ~~[ADDRESS]~~ OF PARTY IN CIVIL ACTION. (a) In a civil action filed in
9 a district court, county court, statutory county court, or
10 statutory probate court, each party or the party's attorney must
11 provide the clerk of the court with proof ~~[written notice]~~ of the
12 party's name and current residence or business address, driver's
13 license number, and social security number. The court shall ensure
14 that the clerk of the court takes appropriate steps so that only the
15 last two numbers of the driver's license and the last four numbers
16 of the social security number are available to the public, and the
17 clerk may redact or otherwise remove the other numbers from all
18 documents associated with the action.

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

22 (c) The proof ~~[notice]~~ required by Subsection (a) must be
23 provided at the time the party files its initial pleading with the
24 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 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.