

By: Raymond, Dutton

H.B. No. 313

Substitute the following for H.B. No. 313:

By: Madden

C.S.H.B. No. 313

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to certain personal information contained in a decree of  
3 dissolution of a marriage or an order in a suit affecting the  
4 parent-child relationship.

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

6 SECTION 1. Subchapter H, Chapter 6, Family Code, is amended  
7 by adding Section 6.712 to read as follows:

8 Sec. 6.712. PERSONAL INFORMATION IN DECREE. (a) In this  
9 section, "personal information" means:

- 10 (1) an individual's social security number;  
11 (2) an individual's bank account number and similar  
12 financial information; and  
13 (3) the name and birth date of each child of an  
14 individual.

15 (b) A final decree of dissolution of a marriage, and any  
16 modification of the decree, may not contain personal information  
17 with regard to any party to the decree. Any personal information  
18 that is required by this title or any other law to be in the decree  
19 or modification must be listed in a separate document titled  
20 "CONFIDENTIAL DATA PAGE" in bold type.

21 (c) The separate document described by Subsection (b) must  
22 include the cause number and style of the proceeding.

23 (d) The personal information in the separate document  
24 described by Subsection (b) is confidential and may be disclosed

1 only to:

2 (1) a party to the proceeding or an attorney for a  
3 party to the proceeding;

4 (2) a law enforcement agency, the Title IV-D agency,  
5 or another governmental entity conducting a criminal investigation  
6 or establishing or enforcing a child support order; or

7 (3) another person authorized to obtain the  
8 information by a court order that includes a finding of good cause  
9 for disclosing the information to that person.

10 (e) This section does not require a court to grant access to  
11 confidential personal information if access is restricted by other  
12 law.

13 SECTION 2. Section 105.006(a), Family Code, is amended to  
14 read as follows:

15 (a) A final order, other than in a proceeding under Chapter  
16 161 or 162, must contain:

17 (1) the [~~social security number and~~] driver's license  
18 number of each party to the suit, including the child, except that  
19 the child's [~~social security number or~~] driver's license number is  
20 not required if the child has not been assigned a [~~social security~~  
21 ~~number or~~] driver's license number; and

22 (2) each party's current residence address, mailing  
23 address, home telephone number, name of employer, address of  
24 employment, and work telephone number, except as provided by  
25 Subsection (c).

26 SECTION 3. Chapter 105, Family Code, is amended by adding  
27 Section 105.010 to read as follows:

1 Sec. 105.010. PERSONAL INFORMATION IN CERTAIN ORDERS. (a)

2 In this section, "personal information" means:

3 (1) an individual's social security number;

4 (2) an individual's bank account number and similar  
5 financial information; and

6 (3) the name and birth date of each child of an  
7 individual.

8 (b) An order in a suit affecting the parent-child  
9 relationship may not contain personal information with regard to  
10 any party to the suit. Any personal information that is required by  
11 this title or any other law to be in the order must be listed in a  
12 separate document titled "CONFIDENTIAL DATA PAGE" in bold type.

13 (c) The separate document described by Subsection (b) must  
14 include the cause number and style of the proceeding.

15 (d) The personal information in the separate document  
16 described by Subsection (b) is confidential and may be disclosed  
17 only to:

18 (1) a party to the suit or an attorney for a party to  
19 the suit;

20 (2) a law enforcement agency, the Title IV-D agency,  
21 or another governmental entity conducting a criminal investigation  
22 or enforcing a child support order; or

23 (3) another person authorized to obtain the  
24 information by a court order that includes a finding of good cause  
25 for disclosing the information to that person.

26 (e) This section does not require a court to grant access to  
27 confidential personal information if access is restricted by other

1 law.

2           SECTION 4. The changes in law made by this Act apply only to  
3 a decree of dissolution of a marriage or order in a suit affecting  
4 the parent-child relationship that is rendered or issued on or  
5 after the effective date of this Act. A decree or order rendered or  
6 issued before the effective date of this Act is governed by the law  
7 in effect on the date the decree or order was rendered or issued,  
8 and the former law is continued in effect for that purpose.

9           SECTION 5. This Act takes effect September 1, 2009.