

BILL ANALYSIS

C.S.H.B. 2170
By: Raymond
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that children are at a high risk of falling victim to identity theft because they do not use their own credit and are not likely to notice that someone has stolen their identity until they reach adulthood. The parties also note that foster children are particularly easy targets for identity theft because they tend to move often and many different people have access to their personal information, such as social security numbers. The parties assert that legislation is needed to ensure that children who will soon be discharged from foster care receive assistance in obtaining, reading, and understanding the free credit reports to which they are entitled under federal law. C.S.H.B. 2170 seeks to address this issue by requiring the Department of Family and Protective Services to assist certain foster children in obtaining and understanding their credit reports.

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

C.S.H.B. 2170 amends the Family Code to require the Department of Family and Protective Services (DFPS) to ensure that each child in the permanent managing conservatorship of DFPS who is 16 years of age or older obtains a free copy of the child's credit report in accordance with federal law each year until the child is discharged from foster care and that each such child receives information regarding interpreting the report and the procedure for correcting inaccuracies in the report.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2170 differs from the original by specifying a child in the permanent managing conservatorship of the Department of Family and Protective Services (DFPS), whereas the original specifies a child in the managing conservatorship of DFPS. The substitute differs from the original by requiring DFPS to ensure that each applicable child receives information regarding interpreting the child's credit report and the procedure for correcting inaccuracies in the report, whereas the original requires DFPS to ensure that each applicable child understands the report and such procedures. The substitute contains a provision not included in the original making a conforming change relating to the specification of permanent managing conservatorship.