

## **BILL ANALYSIS**

H.B. 2064  
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Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recent legislation provided for the use of unsworn declarations in lieu of having to sign legal documents in the presence of a notary public. Under that law, individuals signing an unsworn declaration, including process servers, are required to include their full name, date of birth, and home address on the prescribed form. There is concern that this requirement could lead to identity theft and could place process servers and their families at risk of retaliation for their service. H.B. 2064 seeks to protect process servers from such threats by, among other provisions, allowing process servers to include their identification number on the form instead of their date of birth and home address.

### **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**

H.B. 2064 amends the Civil Practice and Remedies Code to require a jurat included in an unsworn declaration made by an employee of a state agency or a political subdivision in the performance of the employee's job duties to contain, instead of the date of birth and address information that is included in the standard jurat for an unsworn declaration, the governmental agency at which the employee works and a statement that the employee is executing the declaration as part of the employee's assigned duties and responsibilities. The bill requires a jurat included in an unsworn declaration made by a private process server in the performance of the server's job duties to contain, instead of the date of birth and address information that is included in the standard jurat for an unsworn declaration, the person's Process Server Review Board identification number, a statement that the person is a private process server, and a statement that the person is executing the declaration as part of the person's assigned duties and responsibilities.

### **EFFECTIVE DATE**

September 1, 2013.