

BILL ANALYSIS

Senate Research Center
84R15022 MK-D

H.B. 331
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Child Protective Services (CPS) cases often contain sensitive and private information about children not intended to become public. Interested parties note that the sealing of court records in CPS cases only applies to records that are filed through physical paper copies, which conflicts with current electronic filing requirements for civil court documents. The parties assert that allowing electronically filed documents to be sealed in the same manner as other documents would increase the security and privacy of sensitive data. H.B. 331 seeks to provide for the confidentiality of certain electronically filed court documents

H.B. 331 amends current law relating to the sealing of certain court documents filed electronically in a child protection suit.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 262, Family Code, by adding Section 262.011, as follows:

Sec. 262.011. SEALING OF COURT RECORDS FILED ELECTRONICALLY. Requires the court (relating to the district court, juvenile court having the jurisdiction of a district court, or other court expressly given jurisdiction of a suit under this title), for purposes of determining whether to seal documents in accordance with Rule 76a (Sealing Court Records), Texas Rules of Civil Procedure, in a suit under this subtitle, to consider documents filed through an electronic filing system in the same manner as any other document filed with the court.

SECTION 2. Provides that the change in law made by this Act applies to a suit affecting the parent-child relationship that is pending in a trial court on or filed on or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2015.