

AN ACT

relating to the establishment of an electronic database for settlement agreements for certain suits involving minors or incapacitated persons; authorizing a fee.

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

SECTION 1. Subchapter C, Chapter 72, Government Code, is amended by adding Section 72.034 to read as follows:

Sec. 72.034. SETTLEMENT AGREEMENT DATABASE. (a) The office shall establish and maintain an electronic database that contains personal injury or wrongful death settlement agreements for which a minor or incapacitated person is the beneficiary. A party to the agreement or a guardian, next friend, or guardian ad litem may record the agreement in the database. Only one copy of an agreement may be filed by the parties or the guardian, next friend, or guardian ad litem in each settlement agreement.

(b) A settlement agreement recorded in the database is confidential, and the office shall ensure that a settlement agreement may be accessed only by:

- (1) the parties to the settlement agreement;
- (2) each attorney representing a party to the settlement agreement; or
- (3) the guardian, next friend, or guardian ad litem of a party to the settlement agreement.

(c) The office may set and collect a fee to record a

1 settlement agreement in the database in an amount sufficient to
2 cover the costs of maintaining the agreement in the database, not to
3 exceed \$50 for each agreement.

4 (d) Any fee to record a settlement agreement in the database
5 established by the office as provided by Subsection (c) is a court
6 cost to be included for payment in the settlement agreement.

7 SECTION 2. The change in law made by this Act applies to a
8 suit filed on behalf of a minor or incapacitated person that is
9 pending in a trial court on the effective date of this Act or that is
10 filed on or after the effective date of this Act.

11 SECTION 3. This Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 770 was passed by the House on April 9, 2019, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 770 was passed by the Senate on May 21, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor