

BILL ANALYSIS

Senate Research Center
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H.B. 2301
By: Parker et al. (Paxton)
State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Office of the Attorney General (OAG) offers a service to victims of family violence, sexual assault or abuse, human trafficking, or stalking called the address confidentiality program. Eligible participants in the program are provided a confidential post office box address at which they can receive mail. OAG forwards mail from the confidential address to participants in the program so that vulnerable individuals do not have to provide their address to certain people. This program is a great service to protect a victim's privacy in regard to their home; however, abusers can still locate them by using their name. In order to receive a name change in Texas, a petitioner must submit to the court, among other information, their street address. Providing this information when seeking a name change can pose a risk for individuals enrolled in the address confidentiality program. H.B. 2301 seeks to provide these individuals an avenue for changing their name without disclosing their address of residence to the court.

H.B. 2301 amends current law relating to a change of name for participants in the address confidentiality program administered by the office of the attorney general.

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 Section 45.102, Family Code, by adding Subsection (c), as follows:

(c) Provides that a petitioner is not required to provide the street address of the petitioner's place of residence or the petitioner's reason for the requested change of name as otherwise required by Subsection (a) (relating to requiring that the petition to change the name of an adult include certain information) if the petitioner provides a copy of an authorization card certifying in accordance with Article 58.059 (Certification of Participation in Program), Code of Criminal Procedure, that the petitioner is a participant in the address confidentiality program administered by the attorney general under Subchapter B (Address Confidentiality Program for Certain Crime Victims), Chapter 58 (Confidentiality of Identifying Information and Medical Records of Certain Crime Victims), Code of Criminal Procedure.

SECTION 2. Amends Section 45.103, Family Code, by adding Subsections (a-1) and (c-1), as follows:

(a-1) Provides that, for purposes of Subsection (a) (relating to requiring a court to order a change of name for a person other than a person with a final felony conviction or a person subject to certain registration requirements), it is presumed that a change of name is in the interest or to the benefit of the petitioner and in the interest of the public if the petitioner provides a copy of an authorization card certifying in accordance with Article 58.059, Code of Criminal Procedure, that the petitioner is a participant in the address confidentiality program administered by the attorney general under Subchapter B, Chapter 58, Code of Criminal Procedure.

(c-1) Provides that an order issued under Section 45.103 (Order) to change the name of a petitioner described by Subsection (a-1) is confidential and is prohibited from being released by the court to any person, regardless of whether the petitioner continues to participate in the address confidentiality program following the change of name under Subchapter B (Change of Name of Adult).

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2021.