

BILL ANALYSIS

Senate Research Center
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S.B. 1807
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Persons applying for a protective order are required to include their address and county of residence in the notice that is sent to the respondent. In 2023, S.B. 578, by Senator Judith Zaffirini, authorized applicants and protected persons to request that this information be kept confidential, but courts retained discretion to deny the request. This has resulted in inconsistent protections, leaving survivors of family violence vulnerable during one of the most dangerous times in their lives. Survivors may hesitate to seek court protection if they fear their personal information will not remain private.

This issue extends beyond the initial protective order application. Courts can also deny requests for confidentiality when issuing a final protective order or when a protected person files a change of address or phone number. This gap in confidentiality protections undermines the safety of those at risk and prevents survivors from fully utilizing the legal protections available to them.

S.B. 1807 would require courts to grant requests for confidentiality of personal information from applicants and persons protected by a protective order. This change would ensure that survivors are protected and do not hesitate to seek protection from the courts.

As proposed, S.B. 1807 amends current law relating to the confidentiality of certain personal information of an applicant for or a person protected by a protective order.

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 82.011, Family Code, as follows:

Sec. 82.011. CONFIDENTIALITY OF CERTAIN INFORMATION. Requires, rather than authorizes, the court, on request by an applicant, to protect the applicant's mailing address and county of residence by rendering an order meeting certain requirements.

SECTION 2. Amends Section 85.007, Family Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Requires, rather than authorizes, the court, on request by a person protected by an order or an adult member of the family or household of a person protected by an order, to exclude certain information from a protective order.

(a-1) Requires the court, in a hearing on an application for a protective order, to inform each person described by Subsection (a) who is present at the hearing of the person's right, on request, to have information described by that subsection excluded from the protective order and specifically ask the person if the person wishes the court to exclude that information from the protective order.

SECTION 3. Amends Section 87.004, Family Code, by adding Subsection (a-1), as follows:

(a-1) Requires the court, on request by a person protected by an order, to keep confidential the changed address or telephone number in the notification described by Subsection (a) (relating to authorizing a person protected by a protective order, if the order contains the address or telephone number of the person to file a notification of change of address or telephone number with the court). Requires the court, on granting a request for confidentiality under this subsection, to order the clerk to maintain a confidential record of the information as described by Section 85.007(b)(2) (relating to a confidential record of the information for use only by certain institutions) and exclude that information from the notification. Requires the applicant, if the applicant seeks to keep confidential the applicant's mailing address, to disclose the applicant's mailing address and county of residence to the court, designate a person to receive on behalf of the applicant any notice or documents filed with the court related to the order, and disclose the designated person's mailing address to the court.

SECTION 4. Provides that the change in law made by this Act applies to an application for a protective order that is pending on or filed on or after the effective date of this Act or a notification of change of address or telephone number that is filed on or after the effective date of this Act.

SECTION 5. Effective date: September 1, 2025.