

BILL ANALYSIS

Senate Research Center

H.B. 2261
By: Thompson (Lindsay)
Jurisprudence
5-18-97
Committee Report (Amended)

DIGEST

An attorney in a civil court case is required to provide a current mailing address; however, there is no rule or statute which requires the party to a civil court proceeding to provide a current residence or business address. Frequently, the clerk of the court requires direct correspondence with a party and the attorney in charge either does not cooperate in providing the information or does not have the information. This bill will provide regulations regarding providing the court with certain information regarding a party in a civil action.

PURPOSE

As proposed, H.B. 2261 provides regulations regarding providing the court with certain information regarding a party in a civil action.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 30, Civil Practice and Remedies Code, by adding Section 30.015, as follows:

Sec. 30.015. PROVISION OF CURRENT ADDRESS OF PARTY IN CIVIL ACTION. Requires, in a civil action, each party or the party's attorney to provide the clerk of the court with written notice of the party's name and current residence or business address. Sets forth requirements for the notice. Requires the party or the party's attorney to provide the clerk of the court with written notice of the party's new address if the party's address changes during the course of a civil action. Authorizes the trial court to assess a fine of not more than \$50 if the party or the party's attorney fails to provide the notice required by Subsection (a). Provides that it is a defense to a fine assessed under this section that the party or the party's attorney could not reasonably obtain and provide the information required by Subsection (a). Provides that information provided to a clerk of a court under this section is confidential and may not be disclosed to the public without the express authorization of the court.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

On page 1, line 23, by deleting "an additional cost" and inserting "a fine."