

## **BILL ANALYSIS**

Senate Research Center  
82R17659 MAW-D

H.B. 2170  
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Health & Human Services  
5/5/2011  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Interested parties note that children are at a high risk of falling victim to identity theft because they do not use their own credit and are not likely to notice that someone has stolen their identity until they reach adulthood. The parties also note that foster children are particularly easy targets for identity theft because they tend to move often and many different people have access to their personal information, such as Social Security numbers. The parties assert that legislation is needed to ensure that children who will soon be discharged from foster care receive assistance in obtaining, reading, and understanding the free credit reports to which they are entitled under federal law.

H.B. 2170 addresses this issue by requiring the Department of Family and Protective Services to assist certain foster children in obtaining and understanding their credit report.

H.B. 2170 amends current law relating to assisting a foster child in obtaining the child's credit report.

### **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 264, Family Code, by adding Section 264.016, as follows:

Sec. 264.016. CREDIT REPORT FOR FOSTER CHILD. Requires the Department of Family and Protective Services (DFPS) to ensure that each child in the permanent managing conservatorship of DFPS who is 16 years of age or older obtains a free copy of the child's credit report in accordance with the Fair and Accurate Credit Transactions Act of 2003 (Pub. L. No. 108-159) each year until the child is discharged from foster care, and receives information regarding interpreting the report and the procedure for correcting inaccuracies in the report.

SECTION 2. Provides that Section 264.016, Family Code, as added by this Act, applies to a child in the conservatorship of DFPS on or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2011.