

BILL ANALYSIS

Senate Research Center

S.B. 578
By: Zaffirini
State Affairs
5/11/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The need for privacy during the protective order application process is crucial for survivor safety, as the time between applying for and receiving an order can be dangerous. Currently, an applicant for or person protected by a protective order may request that their mailing address be kept confidential. These persons, however, are not authorized to request that their county of residence be kept confidential, which causes safety concerns and results in hesitancy or avoidance of the process by some survivors.

S.B. 578 would authorize applicants and protected persons to request that their county of residence be kept confidential during the protective order process. This change would encourage more survivors of family violence to apply for protective orders because the county of their new residence would be kept confidential from their abusers.

S.B. 578 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. Authorizes the court, on request by an applicant, to protect the applicant's mailing address and county of residence by rendering an order that meets certain criteria. Makes conforming changes.

SECTION 2. Amends Section 85.007(a), Family Code, as follows:

(a) Authorizes the court, on request by a person protected by an order or member of the family or household of a person protected by an order, to exclude from a protective order:

(1) certain information, including the county of residence of a person protected by the order; or

(2) the address and telephone number of:

(A) the place of employment or business of a person protected by the order; or

(B) the child-care facility or school a child protected by the order attends or in which the child resides.

Makes nonsubstantive changes.

SECTION 3. (a) Makes application of Section 82.011, Family Code, as amended by this Act, prospective.

(b) Provides that Section 85.007 (Confidentiality of Certain Information), Family Code, as amended by this Act, applies to a protective order regardless of whether the protective order was rendered before, on, or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2023.