

BILL ANALYSIS

S.B. 1242
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties raise concerns over the burden faced by certain applicants for a protective order who are without an attorney with regard to safeguarding the applicant's mailing address. S.B. 1242 seeks to address these concerns by providing for the confidentiality of certain personal information of an applicant for or a person protected by a protective order.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1242 amends the Family Code to authorize a court, on request by an applicant for a protective order, to protect the applicant's mailing address by rendering an order requiring the applicant to disclose the applicant's mailing address to the court, designate a person to receive on behalf of the applicant any notice or documents filed with the court related to the application, and disclose the designated person's mailing address to the court; requiring the court clerk to strike the applicant's mailing address from the public records of the court, if applicable, and maintain a confidential record of the applicant's mailing address for use only by the court; and prohibiting the release of the information to the respondent. The bill includes among the notice requirements for an application for a protective order a requirement that the notice show the name and mailing address of the designated person, if applicable. The bill requires a court, on granting a request for confidentiality of certain information excluded from a protective order, to order the clerk to maintain a confidential record of the information for use only by a law enforcement agency for purposes of entering certain information required by Government Code provisions relating to the bureau of identification and records within the administrative division of the Department of Public Safety (DPS) into the statewide law enforcement information system maintained by DPS.

S.B. 1242 amends the Government Code to make conforming changes.

EFFECTIVE DATE

September 1, 2017.