

BILL ANALYSIS

Senate Research Center
86R874 KSD-F

H.B. 559
By: Thompson, Senfronia (Huffman)
State Affairs
4/23/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There are concerns that personal financial information contained in an agreement incident to divorce or annulment that is otherwise confidential can be disclosed if the agreement is required to be filed with a court along with the final decree. It has been suggested that these agreements, which are sometimes used intentionally to shield financial information from public disclosure, should expressly not be required to be filed with a court if the agreement is incorporated only by reference in the final decree of divorce or annulment. H.B. 559 provides that such an agreement is not required to be filed with a court under these circumstances.

H.B. 559 amends current law relating to written agreements incident to divorce or annulment.

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 7.006(b), Family Code, to provide that if the court incorporates the agreement concerning the property and the liabilities of the spouses and maintenance of either spouse by reference in the final decree, the agreement is not required to be filed with the court or the court clerk and to make a nonsubstantive change.

SECTION 2. Provides that Section 7.006(b), Family Code, as amended by this Act, applies to an agreement incorporated by reference in a fiscal decree of divorce of annulment regardless of whether the decree is signed before, on, or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2019.