

Chapter 802

H.B. No. 3356

1 AN ACT

2 relating to privacy of certain structured settlement information.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 141.006, Civil Practice and Remedies
5 Code, is amended by adding Subsections (d) and (e) to read as
6 follows:

7 (d) If the application under this chapter for approval of a
8 transfer of structured settlement payment rights includes a written
9 request by the payee to conceal from public inspection the
10 personally identifiable information of the payee and the court and
11 each interested party required to receive notice under Subsection
12 (b) receive complete, unredacted copies of the application, other
13 pleadings, and any order in the time provided by Subsection (b), as
14 applicable:

15 (1) in any application, other pleadings, or any order
16 filed or submitted, the court shall permit the full redaction of the
17 name of the payee, the address of the payee, and other information
18 that could reasonably be used to determine the identity or address
19 of the payee, including the names of dependents, family members,
20 and beneficiaries; and

21 (2) with respect to any order issued approving or
22 denying the transfer of structured settlement payment rights:

23 (A) a copy of the order, with the information
24 described by Subdivision (1) redacted, shall be filed as part of the

1 public record;

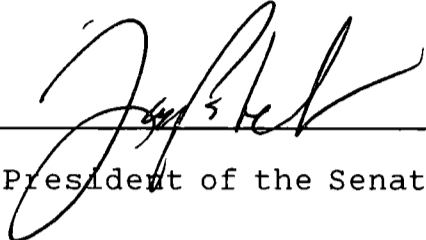
2 (B) at the same time as the filing under
3 Paragraph (A), an unredacted copy of the order shall be issued under
4 seal and shall be provided to the transferee and each interested
5 party entitled to notice under Subsection (b); and

6 (C) not earlier than six months after the date
7 the order is issued, the court on its own initiative may, or on the
8 motion of any person including a member of the general public shall,
9 unseal the unredacted order and make the order part of the public
10 record.

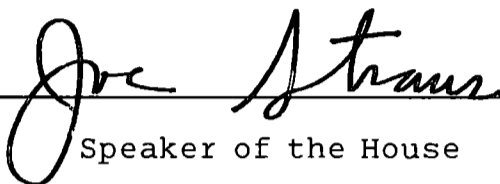
11 (e) Except as provided by this subsection, Rule 76a, Texas
12 Rules of Civil Procedure, applies to all court proceedings and
13 filings under this chapter. A party is not required to comply with
14 that rule in order to redact the payee's personally identifiable
15 information under Subsection (d)(1) or for the purpose of issuing
16 an unredacted copy of the order under seal under Subsection (d)(2).

17 SECTION 2. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2017.

H.B. No. 3356



President of the Senate



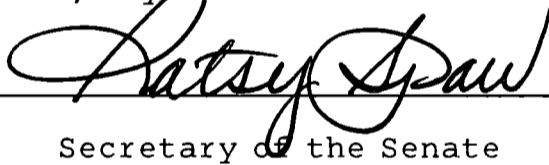
Speaker of the House

I certify that H.B. No. 3356 was passed by the House on May 6, 2017, by the following vote: Yeas 142, Nays 1, 2 present, not voting.



Chief Clerk of the House

I certify that H.B. No. 3356 was passed by the Senate on May 24, 2017, by the following vote: Yeas 31, Nays 0.




Secretary of the Senate

APPROVED: _____
Date

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:00 PM O'CLOCK

JUN 15 2017


Secretary of State

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 11, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3356 by King, Tracy O. (Relating to privacy of certain structured settlement information.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to require the court, when considering an application for approval of a transfer of a structure settlement, to seal documents containing certain identifying information about the payee or to allow the parties to redact that information from the documents, if the parties meet applicable requirements. Based on the analysis of the Office of Court Administration and the Office of the Attorney General, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: UP, AG, LBO, GDz

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 27, 2017

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3356 by King, Tracy O. (Relating to privacy of certain structured settlement information.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

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Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 302 Office of the Attorney General

LBB Staff: UP, LBO, GDz

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 10, 2017

TO: Honorable John T. Smithee, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3356 by King, Tracy O. (Relating to privacy of certain structured settlement information.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Civil Practice and Remedies Code to require the court, when considering an application for approval of a transfer of a structure settlement, to seal documents containing certain identifying information about the payee or to allow the parties to redact that information from the documents, if the parties meet applicable requirements. Based on the analysis of the Office of Court Administration and the Office of the Attorney General, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

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