

BILL ANALYSIS

H.B. 559
By: Thompson, Senfronia
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

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.

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

H.B. 559 amends the Family Code to establish that a written agreement concerning the division of the property and the liabilities of the spouses and maintenance of either spouse in a divorce or an annulment is not required to be filed with the court or the court clerk if the court incorporates the agreement by reference in the final decree. The bill applies to an agreement incorporated by reference in a final decree of divorce or annulment regardless of whether the decree is signed before, on, or after the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.