

BILL ANALYSIS

Senate Research Center
86R4819 JSC-F

H.B. 2623
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Criminal Justice
5/6/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There are concerns that the law relating to a name change for an adult has the effect of penalizing certain persons who have used names other than their birth names for the vast majority of their lives. H.B. 2623 seeks to address this issue by providing an additional condition under which a court may order a change of name for a person with a final felony conviction or a person required to register as a sex offender.

H.B. 2623 amends current law relating to the requirements for a change of name for a person with a final felony conviction or a person required to register as a sex offender.

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 45.103, Family Code, by amending Subsections (b) and (c) and adding Subsection (d), as follows:

(b) Authorizes a court to order a change of name under this subchapter (Change of Name of Adult) for a person with a final felony conviction if:

(1) creates this subdivision from existing text:

(A) redesignates existing text of Subdivision (1) as Paragraph (A); or

(B) redesignates existing text of Subdivision (2) as Paragraph (B); or

(2) the person is requesting to change the person's name to the primary name used in the person's criminal history record information.

(c) Makes nonsubstantive changes. Authorizes a court to order a change of name under this subchapter for a person subject to the registration requirements of Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure, if the person:

(1) meets the requirements of Subsection (a) or is requesting to change the person's name to the primary name used in the person's criminal history record information; and

(2) creates this subdivision from existing text.

(d) Creates this subsection from existing text and makes nonsubstantive changes. Defines "criminal history record information" and "local law enforcement authority" for purposes of this section.

SECTION 2. Makes application of Section 45.103, Family Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2019.