

By: Davis of Harris

H.B. No. 770

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the establishment of an electronic database for  
3 settlement agreements for certain suits involving minors or  
4 incapacitated persons; authorizing a fee.

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

6 SECTION 1. Subchapter C, Chapter 72, Government Code, is  
7 amended by adding Section 72.034 to read as follows:

8 Sec. 72.034. SETTLEMENT AGREEMENT DATABASE. (a) The  
9 office shall establish and maintain an electronic database that  
10 contains personal injury or wrongful death settlement agreements  
11 for which a minor or incapacitated person is the beneficiary. A  
12 party to the agreement or a guardian, next friend, or guardian ad  
13 litem may record the agreement in the database. Only one copy of an  
14 agreement may be filed by the parties or the guardian, next friend,  
15 or guardian ad litem in each settlement agreement.

16 (b) A settlement agreement recorded in the database is  
17 confidential, and the office shall ensure that a settlement  
18 agreement may be accessed only by:

19 (1) the parties to the settlement agreement;  
20 (2) each attorney representing a party to the  
21 settlement agreement; or  
22 (3) the guardian, next friend, or guardian ad litem of  
23 a party to the settlement agreement.

24 (c) The office may set and collect a fee to record a

1 settlement agreement in the database in an amount sufficient to  
2 cover the costs of maintaining the agreement in the database, not to  
3 exceed \$50 for each agreement.

4 (d) Any fee to record a settlement agreement in the database  
5 established by the office as provided by Subsection (c) is a court  
6 cost to be included for payment in the settlement agreement.

7 SECTION 2. The change in law made by this Act applies to a  
8 suit filed on behalf of a minor or incapacitated person that is  
9 pending in a trial court on the effective date of this Act or that is  
10 filed on or after the effective date of this Act.

11 SECTION 3. This Act takes effect September 1, 2019.