

By: Minjarez, Canales, Sherman, Sr.

H.B. No. 135

A BILL TO BE ENTITLED

AN ACT

relating to notifying an alleged perpetrator of child abuse or neglect of the person's right to record an investigative interview.

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

SECTION 1. Subchapter D, Chapter 261, Family Code, is amended by adding Section 261.3027 to read as follows:

Sec. 261.3027. NOTICE OF RIGHT TO RECORD INTERVIEW. (a) Before conducting an interview with an alleged perpetrator, the department shall inform the person orally and in writing that:

(1) the person may create an audio recording of the interview but may not record the interview in any other manner; and

(2) any audio recording made by the person may be subject to subpoena under a court order.

(b) The department shall document in the case file that the department provided the notice required by Subsection (a).

(c) The department shall provide two copies of the written notice to be signed by the person. The department shall provide one signed notice to the person and retain the other signed notice in the case file.

SECTION 2. This Act takes effect September 1, 2021.