

By: Birdwell

S.B. No. 1165

A BILL TO BE ENTITLED

AN ACT

relating to the collection and confidentiality of information regarding weapons in agency foster homes; creating a civil penalty.

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

SECTION 1. Section 42.042, Human Resources Code, is amended by adding Subsections (e-6), (e-7), (e-8), and (e-9) to read as follows:

(e-6) The commission, the department, and a child-placing agency that contracts with the department may not require an agency foster home to:

(1) disclose the specific types of weapons, including firearms, that are present in the home; or

(2) notify the child-placing agency if there is any change in the types of weapons, including firearms, that are present in the home.

(e-7) If the commission, the department, or a child-placing agency that contracts with the department has or obtains information relating to the types of weapons, including firearms, that are present in an agency foster home, the commission, department, or child-placing agency may not use that information for any purpose other than determining whether there are weapons present in the home.

(e-8) A child-placing agency that violates Subsection (e-7) is liable to the state for a civil penalty in an amount not to exceed

1 \$5,000 for each violation. The attorney general may bring an action  
2 to recover a civil penalty authorized under this subsection.

3 (e-9) Information relating to the types of weapons,  
4 including firearms, that are present in an agency foster home is  
5 confidential and is not subject to disclosure under Chapter [552](#),  
6 Government Code.

7 SECTION 2. This Act takes effect September 1, 2023.