

By: Uresti

H.B. No. 2851

A BILL TO BE ENTITLED

1 AN ACT

2 relating to access to records maintained by the Department of
3 Family and Protective Services.

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

5 SECTION 1. Section 261.201, Family Code, is amended by
6 adding Subsection (i) to read as follows:

7 (i) Notwithstanding Subsection (a), the department, on
8 request and subject to department rule, shall provide to a public
9 requestor information concerning reported abuse or neglect that
10 would otherwise be confidential under this section if the
11 department has edited the information to protect the identity of
12 the person who made the report, the child who is the subject of the
13 report, and any other person whose life or safety may be endangered
14 by the disclosure.

15 SECTION 2. Subchapter A, Chapter 263, Family Code, is
16 amended by adding Section 263.007 to read as follows:

17 Sec. 263.007. ACCESS TO INFORMATION. Notwithstanding any
18 other law, the department, on request and subject to department
19 rule, shall provide to a public requestor information concerning
20 services provided under this chapter that would otherwise be
21 confidential if the department has edited the information to
22 protect the identity of any person whose life or safety may be
23 endangered by the disclosure or whose privacy interest may be
24 violated by the disclosure.

1 SECTION 3. Section 264.408, Family Code, is amended by
2 adding Subsection (f) to read as follows:

3 (f) Notwithstanding Subsection (a), the department, on
4 request and subject to department rule, shall provide to a public
5 requestor information concerning services provided under this
6 chapter that would otherwise be confidential under this section if
7 the department has edited the information to protect the identity
8 of any person whose life or safety may be endangered by the
9 disclosure or whose privacy interest may be violated by the
10 disclosure.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2005.