

BILL ANALYSIS

Senate Research Center
80R2571 JMM-D

S.B. 452
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The importance of protecting the privacy of individuals connected with reports of abuse and neglect made to the Department of Family and Protective Services (DFPS) while easing public concern and informing the public about the incidence and types of abuse and neglect requires that there be a balance in the information being provided to the public. The gravity and scale of a problem is too often not clear to the public or to policymakers because insufficient data or information is being disclosed. Increasing access to reports of child abuse and neglect can motivate the citizens and leaders of Texas to combat such child abuse, but it is necessary to do so in a manner that protects the identities of victims of abuse and neglect, individuals who are wrongly accused, and those who report abuse and neglect.

As proposed, S.B. 452 increases the amount of information that is publicly available from DFPS regarding reports of abuse and neglect of children while protecting the privacy of individuals whose safety may be endangered if their identities are disclosed.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 261.201, Family Code, by adding Subsection (i), as follows:

(i) Requires the Department of Family and Protective Services (DFPS), on request and subject to DFPS rule, to provide to a public requestor information concerning reported abuse or neglect that would otherwise be confidential under this section if DFPS has edited the information to protect the identity of certain persons, notwithstanding Subsection (a).

SECTION 2. Amends Subchapter A, Chapter 263, Family Code, by adding Section 263.007, as follows:

Sec. 263.007. ACCESS TO INFORMATION. Requires DFPS, on request and subject to DFPS rule, to provide to a public requestor information concerning services provided under this chapter that would otherwise be confidential if DFPS has edited the information to protect the identity of certain persons, notwithstanding any other law.

SECTION 3. Amends Section 264.408, Family Code, by adding Subsection (f), as follows:

(f) Requires DFPS, on request and subject to DFPS rule, to provide to a public requestor information concerning services provided under this chapter that would otherwise be confidential under this section if DFPS has edited the information to protect the identity of certain persons, notwithstanding Subsection (a).

SECTION 4. Effective date: upon passage or September 1, 2007.