

By: Wentworth

S.B. No. 1311

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the exchange of information among certain governmental
3 entities concerning at-risk youth.

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

5 SECTION 1. Subchapter A, Chapter 58, Family Code, is
6 amended by adding Section 58.0052 to read as follows:

7 Sec. 58.0052. EXCHANGE OF INFORMATION CONCERNING AT-RISK
8 YOUTH. (a) In this section:

9 (1) "Agency" means any of the following entities, a
10 person with an agency relationship with any of the following
11 entities, or a person who contracts with any of the following
12 entities:

13 (A) the Texas Youth Commission;

14 (B) the Texas Juvenile Probation Commission;

15 (C) the Department of Family and Protective
16 Services;

17 (D) the Texas Education Agency;

18 (E) a juvenile probation department;

19 (F) a school district or open-enrollment charter
20 school;

21 (G) a local mental health or mental retardation
22 authority;

23 (H) a municipal or county health department; or

24 (I) a hospital district.

1 (2) "At-risk youth" means a person who is under 18
2 years of age and:

3 (A) for whom a case is pending before a juvenile
4 court involving the alleged delinquent conduct or conduct
5 indicating a need for supervision of the at-risk youth;

6 (B) who:

7 (i) has been adjudicated as having engaged
8 in delinquent conduct or conduct indicating a need for supervision;
9 and

10 (ii) is in the custody of the Texas Youth
11 Commission or a juvenile board or is under any form of juvenile
12 probation or supervision; or

13 (C) who has a history of active involvement with
14 the Department of Family and Protective Services or a local mental
15 health or mental retardation authority.

16 (b) An agency shall:

17 (1) disclose to another agency information relating to
18 an at-risk youth, including information concerning the at-risk
19 youth's identity, needs, treatment, social, criminal, educational,
20 and vocational history, probation or supervision status and
21 compliance with the conditions of the at-risk youth's probation or
22 supervision, and medical and mental health history, if the
23 disclosure serves the purposes provided under Subsection (c); and

24 (2) accept information relating to an at-risk youth
25 that is sent to the agency for the purposes provided under
26 Subsection (c), regardless of whether other state law makes that
27 information confidential.

1 (c) An agency may use information provided to the agency
2 under this section only to assist the agency in:

3 (1) protecting the community; or

4 (2) providing services to the at-risk youth who is the
5 subject of the information.

6 SECTION 2. This Act takes effect September 1, 2007.