

By: Ortiz, Jr., Darby

H.B. No. 1315

Substitute the following for H.B. No. 1315:

By: Rose

C.S.H.B. No. 1315

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to access to information regarding reports of child abuse  
3 or neglect.

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 Subsections (k) and (l) to read as follows:

7 (k) Notwithstanding Subsection (a), an investigating  
8 agency, other than the department or the Texas Youth Commission, on  
9 request, shall provide to the parent, managing conservator, or  
10 other legal representative of a child who is the subject of reported  
11 abuse or neglect, or to the child if the child is at least 18 years  
12 of age, information concerning the reported abuse or neglect that  
13 would otherwise be confidential under this section. The  
14 investigating agency shall withhold information under this  
15 subsection if the parent, managing conservator, or other legal  
16 representative of the child requesting the information is alleged  
17 to have committed the abuse or neglect.

18 (l) Before a child or a parent, managing conservator, or  
19 other legal representative of a child may inspect or copy a record  
20 or file concerning the child under Subsection (k), the custodian of  
21 the record or file must redact:

22 (1) any personally identifiable information about a  
23 victim or witness under 18 years of age unless that victim or  
24 witness is:

- 1                   (A) the child who is the subject of the report; or  
2                   (B) another child of the parent, managing  
3 conservator, or other legal representative requesting the  
4 information;  
5                   (2) any information that is excepted from required  
6 disclosure under Chapter 552, Government Code, or other law; and  
7                   (3) the identity of the person who made the report.

8                   SECTION 2. This Act takes effect September 1, 2009.