

By: Patrick, et al.

H.B. No. 2876

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of an administrative law judge to order
3 the release of certain information relating to a child abuse and
4 neglect investigation.

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

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

8 (b-1) On a motion of one of the parties in a contested case
9 before an administrative law judge relating to the license or
10 certification of a professional, as defined by Section 261.101(b),
11 or an educator, as defined by Section 5.001, Education Code, the
12 administrative law judge may order the disclosure of information
13 that is confidential under this section that relates to the matter
14 before the administrative law judge after a hearing for which
15 notice is provided as required by Subsection (b)(2) and making the
16 review and determination required by Subsection (b)(3). Before the
17 department may release information under this subsection, the
18 department must edit the information to protect the confidentiality
19 of the identity of any person who makes a report of abuse or
20 neglect.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2009.