

1-1 By: Patrick, et al. (Senate Sponsor - Carona) H.B. No. 2876
1-2 (In the Senate - Received from the House May 4, 2009;
1-3 May 6, 2009, read first time and referred to Committee on
1-4 Jurisprudence; May 15, 2009, reported favorably by the following
1-5 vote: Yeas 7, Nays 0; May 15, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the authority of an administrative law judge to order
1-9 the release of certain information relating to a child abuse and
1-10 neglect investigation.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 261.201, Family Code, is amended by
1-13 adding Subsection (b-1) to read as follows:

1-14 (b-1) On a motion of one of the parties in a contested case
1-15 before an administrative law judge relating to the license or
1-16 certification of a professional, as defined by Section 261.101(b),
1-17 or an educator, as defined by Section 5.001, Education Code, the
1-18 administrative law judge may order the disclosure of information
1-19 that is confidential under this section that relates to the matter
1-20 before the administrative law judge after a hearing for which
1-21 notice is provided as required by Subsection (b)(2) and making the
1-22 review and determination required by Subsection (b)(3). Before the
1-23 department may release information under this subsection, the
1-24 department must edit the information to protect the confidentiality
1-25 of the identity of any person who makes a report of abuse or
1-26 neglect.

1-27 SECTION 2. This Act takes effect immediately if it receives
1-28 a vote of two-thirds of all the members elected to each house, as
1-29 provided by Section 39, Article III, Texas Constitution. If this
1-30 Act does not receive the vote necessary for immediate effect, this
1-31 Act takes effect September 1, 2009.

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