

1 AN ACT

2 relating to the prioritization of requests to release certain case
3 records maintained by the Department of Family and Protective
4 Services.

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

6 SECTION 1. Subchapter A, Chapter 264, Family Code, is
7 amended by adding Section 264.0145 to read as follows:

8 Sec. 264.0145. RELEASE OF CASE RECORD. (a) In this
9 section, "case record" means those files, reports, records,
10 communications, audiotapes, videotapes, or working papers under
11 the custody and control of the department that are collected,
12 developed, or used:

13 (1) in a child abuse or neglect investigation; or

14 (2) in providing services as a result of an
15 investigation, including substitute care services for a child.

16 (b) The department by rule shall establish guidelines that
17 prioritize requests to release case records, including those made
18 by an adult previously in the department's managing
19 conservatorship.

20 (c) The department is not required to release a copy of the
21 case record except as provided by law and department rule.

22 SECTION 2. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 3234 was passed by the House on April 20, 2011, by the following vote: Yeas 141, Nays 7, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3234 was passed by the Senate on May 18, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor