

By: Hernandez Luna

H.B. No. 3234

A BILL TO BE ENTITLED

AN ACT

relating to the preparation of case records of children discharged from foster care.

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

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

Sec. 264.0145. PREPARATION AND RELEASE OF CASE RECORD. (a)

In this section, "case record" means those files, reports, records, communications, audiotapes, videotapes, or working papers under the custody and control of the department that are collected, developed, or used:

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

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

(b) Not later than the 30th day before the date a child is discharged from foster care, the department shall assemble and prepare the child's case record for release to the child. The department shall redact any information from the case record that is confidential and may not be provided to the child under statute or department rule.

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

SECTION 2. The change in law made by this Act applies only to the case record of a child discharged from foster care on or

1 after the 30th day following the effective date of this Act. The
2 case record of a child discharged from foster care before the 30th
3 day following the effective date of this Act is governed by the law
4 applicable at the time of the child's discharge, and the former law
5 is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2011.