

1-1 By: Hernandez Luna, Naishtat, Rodriguez H.B. No. 3234  
1-2 (Senate Sponsor - Davis)  
1-3 (In the Senate - Received from the House April 26, 2011;  
1-4 April 27, 2011, read first time and referred to Committee on Health  
1-5 and Human Services; May 11, 2011, reported favorably by the  
1-6 following vote: Yeas 9, Nays 0; May 11, 2011, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the prioritization of requests to release certain case  
1-10 records maintained by the Department of Family and Protective  
1-11 Services.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-13 SECTION 1. Subchapter A, Chapter 264, Family Code, is  
1-14 amended by adding Section 264.0145 to read as follows:

1-15 Sec. 264.0145. RELEASE OF CASE RECORD. (a) In this  
1-16 section, "case record" means those files, reports, records,  
1-17 communications, audiotapes, videotapes, or working papers under  
1-18 the custody and control of the department that are collected,  
1-19 developed, or used:

1-20 (1) in a child abuse or neglect investigation; or  
1-21 (2) in providing services as a result of an  
1-22 investigation, including substitute care services for a child.

1-23 (b) The department by rule shall establish guidelines that  
1-24 prioritize requests to release case records, including those made  
1-25 by an adult previously in the department's managing  
1-26 conservatorship.

1-27 (c) The department is not required to release a copy of the  
1-28 case record except as provided by law and department rule.

1-29 SECTION 2. This Act takes effect September 1, 2011.

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