

AN ACT

relating to certain information to which a social study evaluator is entitled in a suit affecting the parent-child relationship; providing a criminal penalty.

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

SECTION 1. Subchapter D, Chapter 107, Family Code, is amended by adding Section 107.05145 to read as follows:

Sec. 107.05145. SOCIAL STUDY EVALUATOR ACCESS TO INVESTIGATIVE RECORDS OF DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; OFFENSE. (a) A social study evaluator is entitled to obtain from the Department of Family and Protective Services a complete, unredacted copy of any investigative record regarding abuse or neglect that relates to any person residing in the residence subject to the social study.

(b) Except as provided by this section, records obtained by a social study evaluator from the Department of Family and Protective Services under this section are confidential and not subject to disclosure under Chapter 552, Government Code, or to disclosure in response to a subpoena or a discovery request.

(c) A social study evaluator may disclose information obtained under Subsection (a) in the social study report only to the extent the evaluator determines that the information is relevant to the social study or a recommendation made under this subchapter.

(d) A person commits an offense if the person discloses

1 confidential information obtained from the Department of Family and
2 Protective Services in violation of this section. An offense under
3 this subsection is a Class A misdemeanor.

4 SECTION 2. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 330 passed the Senate on March 19, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 330 passed the House on May 2, 2013, by the following vote: Yeas 147, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor