

By: Huffman

S.B. No. 330

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain information to which a social study evaluator
3 is entitled in a suit affecting the parent-child relationship;
4 providing a criminal penalty.

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

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

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

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

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

24 (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.