

By: Price

H.B. No. 851

A BILL TO BE ENTITLED

AN ACT

relating to children's advocacy centers.

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

SECTION 1. Section 264.408(d), Family Code, is amended to read as follows:

(d) A video recording of an interview of a child that is made by ~~at~~ a center is the property of the prosecuting attorney involved in the criminal prosecution of the case involving the child. If no criminal prosecution occurs, the video recording is the property of the attorney involved in representing the department in a civil action alleging child abuse or neglect. If the matter involving the child is not prosecuted, the video recording is the property of the department if the matter is an investigation by the department of abuse or neglect. If the department is not investigating or has not investigated the matter, the video recording is the property of the agency that referred the matter to the center. ~~[If the center employs a custodian of records for video recordings of interviews of children, the center is responsible for the custody of the video recording. A video recording of an interview may be shared with other agencies under a written agreement.]~~

SECTION 2. This Act takes effect September 1, 2015.