

BILL ANALYSIS

Senate Research Center

S.B. 1543
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Health & Human Services
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Department of Family and Protective Services (DFPS) handles very delicate and time-sensitive cases. In the course of their investigations, DFPS often interacts with a variety of individuals, from caregivers to siblings. Due to the nature of these cases, several obstacles arise in determining the validity of certain cases. Often, caseworkers will voice record investigations to ensure clarity and transparency. Under current DFPS policy, several investigations pertaining to interviewing a child are required to record the interview.

In Texas, all individuals have the right to record interactions with government agencies. However, many Texans remain unaware of this fact, and therefore unable to exercise their right to record interviews.

Solution

S.B. 1543 requires that investigators from DFPS orally notify interviewees of their right to record the interview, and document such notice. This bill helps to ensure the safety of caseworkers, caregivers, and the child or children involved in the ongoing investigation.

As proposed, S.B. 1543 amends current law relating to providing notice of the right to record Department of Family and Protective Services investigative interviews.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 40, Human Resources Code, by adding Section 40.043, as follows:

Sec. 40.043. NOTICE REGARDING RECORDING OF INVESTIGATIVE INTERVIEWS. Requires an investigator who conducts an interview during the course of a Department of Family and Protective Services investigation to provide oral notice to each interviewee at the beginning of the interview that the interviewee has the right to record the interview using an audio recording device. Requires the investigator to note in the investigation file that the interviewee was notified under this section.

SECTION 2. Effective date: upon passage or September 1, 2019.