

1-1 By: Menéndez S.B. No. 1543
 1-2 (In the Senate - Filed March 5, 2019; March 14, 2019, read
 1-3 first time and referred to Committee on Health & Human Services;
 1-4 May 1, 2019, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; May 1, 2019, sent
 1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1543 By: Perry

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to notice requirements regarding the right to record
 1-22 certain interviews conducted by the Department of Family and
 1-23 Protective Services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Subchapter B, Chapter 40, Human Resources Code,
 1-26 is amended by adding Section 40.045 to read as follows:

1-27 Sec. 40.045. NOTICE REGARDING RECORDING OF INVESTIGATIVE
 1-28 INTERVIEWS. (a) This section applies to all investigations
 1-29 conducted by the department, including investigations conducted by
 1-30 the adult protective services division and the child protective
 1-31 services division.

1-32 (b) Except as provided by Subsection (c), before a
 1-33 department employee conducts an interview as part of a department
 1-34 investigation, the employee shall:

1-35 (1) orally notify the person who is the subject of the
 1-36 interview that the person has the right to record the interview
 1-37 using an audio recording device; and

1-38 (2) obtain written verification from the person who is
 1-39 the subject of the interview that the department employee provided
 1-40 the notice required by Subdivision (1).

1-41 (c) A department employee is not required to provide the
 1-42 notice described by Subsection (b) to:

1-43 (1) an alleged victim of self-neglect; or

1-44 (2) a person who the department employee suspects is
 1-45 incapacitated.

1-46 SECTION 2. This Act takes effect immediately if it receives
 1-47 a vote of two-thirds of all the members elected to each house, as
 1-48 provided by Section 39, Article III, Texas Constitution. If this
 1-49 Act does not receive the vote necessary for immediate effect, this
 1-50 Act takes effect September 1, 2019.

1-51 * * * * *