

BILL ANALYSIS

Senate Research Center

S.B. 335
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Business & Commerce
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Family and Protective Services Council was created during the 85th Texas Legislative Session in 2017 as part of H.B. 5. The purpose for the Council is to study and make recommendations to the DFPS Commissioner regarding the management and operation of the department, including policies and rules governing the delivery of services to persons who are served by the department, the rights and duties of persons who are served or regulated by the department, and the consolidation of the provision of administrative support services.

Under the bylaws of the Family and Protective Services Council, the Council falls under the Open Meetings, Chapter 551, Government Code. The Council meets quarterly on agenda items including the ability for public comment. However, the Act does not give members of the public a right to speak on items considered at an open meeting through the use of telephone conference call or other similar telecommunication device. Such a right exists only if a specific state law requires that members of the public be permitted to provide public comment on an issue through those methods.

S.B. 335 amends current law relating to meetings of the Family and Protective Services Council broadcast over the Internet.

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 Section 40.026, Human Resources Code, by adding Subsection (d), as follows:

(d) Requires the Department of Family and Protective Services (DFPS), for each open meeting of the Family and Protective Services Council, to:

- (1) broadcast over the Internet live video and audio of the meeting and provide access to the broadcast on DFPS' Internet website; or
- (2) not later than the end of the second business day after the day a meeting is held, make available through DFPS' Internet website archived video and audio of the meeting until the second anniversary of the date the archived video and audio was first made available on the website.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.