

By: Harris of Anderson, Noble, et al.

H.B. No. 1229

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the collection and confidentiality of information
3 regarding firearms and ammunition in agency foster homes; creating
4 a civil penalty.

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

6 SECTION 1. Section 42.042, Human Resources Code, is amended
7 by adding Subsections (e-6), (e-7), (e-8), (e-9), and (e-10) to
8 read as follows:

9 (e-6) The commission, the department, and a child-placing
10 agency that contracts with the department may not require an agency
11 foster home to:

12 (1) disclose the specific types of firearms and
13 ammunition that are present in the home; or

14 (2) notify the child-placing agency if there is any
15 change in the types of firearms and ammunition that are present in
16 the home.

17 (e-7) If the commission, the department, or a child-placing
18 agency that contracts with the department has or obtains
19 information relating to the types of firearms and ammunition that
20 are present in an agency foster home, the commission, department,
21 or child-placing agency may not use that information for any
22 purpose other than determining whether there are firearms or
23 ammunition present in the home.

24 (e-8) A child-placing agency that violates Subsection (e-7)

1 is liable to the state for a civil penalty in an amount not to exceed
2 \$5,000 for each violation. The attorney general may bring an action
3 to recover a civil penalty authorized under this subsection.

4 (e-9) Information relating to the types of firearms and
5 ammunition that are present in an agency foster home is
6 confidential and is not subject to disclosure under Chapter 552,
7 Government Code.

8 (e-10) Subsections (e-6), (e-7), and (e-9) may not be
9 construed to limit the ability of the commission or a child-placing
10 agency to determine the presence of weapons and to verify the
11 appropriate storage of weapons in accordance with the standards
12 adopted under Subsection (e-1).

13 SECTION 2. This Act takes effect September 1, 2023.