

By: Harris of Anderson

H.B. No. 1229

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the collection and confidentiality of information
3 regarding weapons in agency foster homes; creating a civil penalty.

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

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

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

11 (1) disclose the specific types of weapons, including
12 firearms, that are present in the home; or

13 (2) notify the child-placing agency if there is any
14 change in the types of weapons, including firearms, that are
15 present in the home.

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

23 (e-8) A child-placing agency that violates Subsection (e-7)
24 is liable to the state for a civil penalty in an amount not to exceed

1 \$5,000 for each violation. The attorney general may bring an action
2 to recover a civil penalty authorized under this subsection.

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

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