

1-1 By: Harris of Anderson, et al. H.B. No. 1229
 1-2 (Senate Sponsor - Birdwell)
 1-3 (In the Senate - Received from the House May 4, 2023;
 1-4 May 5, 2023, read first time and referred to Committee on Health &
 1-5 Human Services; May 19, 2023, reported favorably by the following
 1-6 vote: Yeas 5, Nays 3; May 19, 2023, sent to printer.)

1-7 COMMITTEE VOTE

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

1-18 A BILL TO BE ENTITLED
 1-19 AN ACT

1-20 relating to the collection and confidentiality of information
 1-21 regarding firearms and ammunition in agency foster homes; creating
 1-22 a civil penalty.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 42.042, Human Resources Code, is amended
 1-25 by adding Subsections (e-6), (e-7), (e-8), (e-9), and (e-10) to
 1-26 read as follows:

1-27 (e-6) The commission, the department, and a child-placing
 1-28 agency that contracts with the department may not require an agency
 1-29 foster home to:

1-30 (1) disclose the specific types of firearms and
 1-31 ammunition that are present in the home; or

1-32 (2) notify the child-placing agency if there is any
 1-33 change in the types of firearms and ammunition that are present in
 1-34 the home.

1-35 (e-7) If the commission, the department, or a child-placing
 1-36 agency that contracts with the department has or obtains
 1-37 information relating to the types of firearms and ammunition that
 1-38 are present in an agency foster home, the commission, department,
 1-39 or child-placing agency may not use that information for any
 1-40 purpose other than determining whether there are firearms or
 1-41 ammunition present in the home.

1-42 (e-8) A child-placing agency that violates Subsection (e-7)
 1-43 is liable to the state for a civil penalty in an amount not to exceed
 1-44 \$5,000 for each violation. The attorney general may bring an action
 1-45 to recover a civil penalty authorized under this subsection.

1-46 (e-9) Information relating to the types of firearms and
 1-47 ammunition that are present in an agency foster home is
 1-48 confidential and is not subject to disclosure under Chapter 552,
 1-49 Government Code.

1-50 (e-10) Subsections (e-6), (e-7), and (e-9) may not be
 1-51 construed to limit the ability of the commission or a child-placing
 1-52 agency to determine the presence of weapons and to verify the
 1-53 appropriate storage of weapons in accordance with the standards
 1-54 adopted under Subsection (e-1).

1-55 SECTION 2. This Act takes effect September 1, 2023.

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