

By: Campos

H.B. No. 1529

Substitute the following for H.B. No. 1529:

By: Dutton

C.S.H.B. No. 1529

A BILL TO BE ENTITLED

AN ACT

1
2 relating to procedures in certain suits affecting the parent-child
3 relationship filed by the Department of Family and Protective
4 Services.

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

6 SECTION 1. Subchapter C, Chapter 262, Family Code, is
7 amended by adding Section 262.2011 to read as follows:

8 Sec. 262.2011. CONFIRMATION OF REQUIRED NOTICE PROVIDED.

9 (a) Before commencement of the full adversary hearing, the court
10 shall, in writing and in open court, confirm that:

11 (1) before interviewing an alleged perpetrator, the
12 Department of Family and Protective Services informed the person of
13 the person's right to:

14 (A) create an audio or video recording of the
15 interview under Section 261.3027; and

16 (B) request an administrative review of the
17 Department of Family and Protective Services' findings under
18 Section 261.3091; and

19 (2) as soon as possible after initiating an
20 investigation of a parent or other person having legal custody of a
21 child, the Department of Family and Protective Services provided
22 the person with the information required by Section 261.307.

23 (b) If the court determines that an alleged perpetrator was
24 not fully informed of the person's rights described by Subsection

1 (a)(1) or provided the information described by Subsection (a)(2),
2 the court may not consider any evidence gathered from or provided by
3 the alleged perpetrator during the investigation or interview in
4 the full adversary hearing.

5 SECTION 2. The changes in law made by this Act apply to a
6 suit affecting the parent-child relationship that is filed on or
7 after the effective date of this Act. A suit filed before the
8 effective date of this Act is governed by the law in effect on the
9 date that the suit is filed, and the former law is continued in
10 effect for that purpose.

11 SECTION 3. This Act takes effect September 1, 2023.