

## **BILL ANALYSIS**

Senate Research Center  
89R27368 DNC-D

H.B. 1403  
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Health & Human Services  
5/16/2025  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

H.B. 1403 aims to protect the privacy rights of foster parents regarding firearm ownership while maintaining child safety. Currently, Texas child-placing agencies and the Department of Family and Protective Services (DFPS) may require foster parents to disclose specific types of weapons in their homes, raising concerns about privacy and deterring potential foster families. This bill amends Section 42.042 of the Human Resources Code to prohibit such disclosure requirements and restricts the use of weapon-related information solely to verifying the presence of weapons in foster homes. It also establishes civil penalties for violations and exempts weapon-related data from public disclosure under Chapter 552 of the Government Code. H.B. 1403 seeks to strike a balance between ensuring privacy for foster parents and maintaining the safety and stability of children in Texas' foster care system.

H.B. 1403 amends current law relating to the collection and confidentiality of information regarding firearms in agency foster homes and creates a civil penalty.

### **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 42.042, Human Resources Code, by adding Subsections (e-6), (e-7), (e-8), and (e-9), as follows:

(e-6) Prohibits the Health and Human Services Commission (HHSC), the Department of Family and Protective Services (DFPS), and a child-placing agency that contracts with DFPS from requiring an agency foster home to disclose the specific types of firearms that are present in the home or notify the child-placing agency if there is any change in the types of firearms that are present in the home.

(e-7) Prohibits HHSC, DFPS, or a child-placing agency that contracts with DFPS, if HHSC, DFPS, or the child-placing agency has or obtains information relating to the types of firearms that are present in an agency foster home, from using that information for any purpose other than determining whether there are firearms present in the home.

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

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

SECTION 2. Effective date: September 1, 2025.