

BILL ANALYSIS

Senate Research Center

H.B. 3750
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Department of Family and Protective Services (DFPS) employees often face legal risks and personal threats while protecting vulnerable populations. Employees may, in the course of their duties, face criminal prosecution or threats requiring protective or restraining orders. Current law does not provide specific reimbursement for legal expenses incurred in these situations.

H.B. 3750 allows DFPS to reimburse employees for legal expenses in these situations, supporting their safety and ensuring they are not burdened with costs when acting in good faith on behalf of the state.

H.B. 3750 amends Section 40.060, Human Resources Code, to authorize DFPS to reimburse certain employees for legal expenses related to criminal defense or protective orders. Key provisions include:

- Reimbursement for criminal defense costs:
 - Authorizes DFPS to reimburse current or former employees up to \$10,000 for reasonable attorney's fees if they are criminally prosecuted for job-related actions and are either:
 - found not guilty after trial or appeal; or
 - have the case dismissed without a plea of guilty or no contest.
- Support for protective or restraining orders:
 - Allows DFPS to reimburse current employees up to \$5,000 in attorney's fees for obtaining a protective or restraining order, if the need arises due to threats encountered while performing their duties.

H.B. 3750 amends current law relating to reimbursing certain Department of Family and Protective Services employees for certain legal expenses.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Department of Family and Protective Services in SECTION 2 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 40.060, Human Resources Code, as follows:

Sec. 40.060. New heading: INDEMNIFICATION AND REIMBURSEMENT FOR LEGAL EXPENSES. (a) Creates this subsection from existing text and makes no further changes.

(b) Authorizes the Department of Family and Protective Services (DFPS), if a present employee of DFPS who is involved in activities relating to the protection of children or elderly persons or persons with disabilities seeks a protective or restraining order while in the course and scope of their employment with DFPS, to reimburse the person for the reasonable attorney's fees incurred in obtaining the protective or restraining order up to a maximum amount of \$5,000.

SECTION 2. Requires DFPS, as soon as practicable after the effective date of this Act, to adopt rules to implement Section 40.060(b), Human Resources Code, as added by this Act.

SECTION 3. Effective date: September 1, 2025.