

BILL ANALYSIS

S.B. 1141
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

H.B. 135, passed by the 87th Texas Legislature, required the Department of Family and Protective Services (DFPS) to inform an alleged perpetrator in a child abuse or neglect investigation of the person's right to create an audio or video recording of an interview and to request an administrative review of DFPS's findings. However, the bill sponsor has informed the committee that there is a need to ensure that these requirements are being met and that doing so will aid DFPS in collecting data for an administrative review investigative findings report, which provides data on the number of upheld, reversed, or altered removals. S.B. 1141 seeks to require the court in a child protection suit, before an adversary hearing, to confirm in writing and in open court that an alleged perpetrator was notified of certain rights and provided specified information.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1141 amends the Family Code to require a court, before commencement of a full adversary hearing held in a child protection suit, to confirm in writing and in open court with an alleged perpetrator the following:

- before interviewing the alleged perpetrator, the Department of Family and Protective Services (DFPS) informed the person of the person's right to create an audio or video recording of the interview and to request an administrative review of DFPS's findings of whether child abuse or neglect occurred; and
- when DFPS first contacted the alleged perpetrator after initiating an investigation of a parent or other person having legal custody of a child, DFPS provided the person with certain information relating to DFPS investigation procedures and child placement resources as required by state law.

S.B. 1141 applies to a suit affecting the parent-child relationship that is filed on or after the bill's effective date. A suit filed before the bill's effective date is governed by the law in effect on the date that the suit is filed, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.