

SUBJECT: Allowing confidentiality of CPS caseworkers' personal information

COMMITTEE: Human Services — favorable, without amendment

VOTE: 7 ayes — Frank, Hinojosa, Clardy, Deshotel, Klick, Meza, Noble

0 nays

2 absent — Miller, Rose

SENATE VOTE: On final passage, April 11 — 31-0

WITNESSES: *On House companion bill, HB 759:*

For — (*Registered, but did not testify:* Will Francis, National Association of Social Workers-Texas Chapter; Sarah Crockett and Sabrina Gonzalez, Texas CASA; Tyler Sheldon, Texas State Employees Union; Jennifer Lucy, TexProtects; Knox Kimberly, Upbring)

Against — None

On — (*Registered, but did not testify:* Liz Kromrei, Department of Family and Protective Services)

BACKGROUND: Government Code sec. 552.1175 allows certain exceptions to information available under the Public Information Act. Personal information of certain current or former state or federal employees, such as peace officers, juvenile probation or supervision officers, members of the Texas military forces, district attorneys, and federal or state judges, among others, are permitted to be confidential if requested by the individual.

Tax Code sec. 25.025 permits a similar list of current or former state or federal employees to restrict public access to home address information in appraisal records.

Some have noted the potential risks faced by Child Protective Services investigators and caseworkers due to the availability of their personal

identifying information.

**DIGEST:** SB 1494 would add certain employees and contractors of the Department of Family and Protective Services (DFPS) to the list of persons whose personal information would be excepted from the public availability requirement of the Public Information Act and to the list of state employees to whom Tax Code provisions on confidentiality of home address information would apply.

The bill would apply to current or former Child Protective Services investigators, caseworkers, or contractors performing those functions on behalf of DFPS.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2019, and would apply only to a request for information received by a governmental body or officer on or after the effective date.