

BILL ANALYSIS

Senate Research Center
77R7450 JMM-D

H.B. 2428
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Jurisprudence
4/19/2001
Engrossed

DIGEST AND PURPOSE

Current Texas law provides that the files of child protective service workers and children's advocacy center employees are confidential but does not protect the confidentiality of information contained in the files of court-appointed volunteer advocate program employees. Court-appointed child advocate volunteers often generate confidential case files as part of their advocacy work. H.B. 2428 protects the confidentiality of all files, reports, records, communications, and working papers used or developed in providing services under Chapter 264G of the Family Code.

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 Chapter 264G, Family Code, by adding Section 264.613, as follows:

Sec. 264.613. USE OF INFORMATION AND RECORDS; CONFIDENTIALITY. (a) Provides that the files, reports, records, communications, and working papers used or developed in providing services under this subchapter are confidential and not subject to disclosure under Chapter 552 (Public Information), Government Code, and authorizes them to only be disclosed for purposes consistent with this subchapter.

(b) Authorizes information described by Subsection (a) to be disclosed to certain entities.

(c) Provides that information related to the investigation of a report of abuse or neglect of a child under Chapter 261 and services provided as a result of the investigation are confidential as provided by Section 261.201.

SECTION 2. Effective date: upon passage or September 1, 2001.