

BILL ANALYSIS

S.B. 1543
By: Menéndez
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are concerns that many Texans are unaware of their right to record interactions with government agencies, specifically their right to record interviews with Department of Family and Protective Services (DFPS) caseworkers who voice record interviews to ensure clarity and transparency. S.B. 1543 seeks to address this concern by requiring investigators from DFPS to orally notify interviewees of their right to record the interview and to document such notice.

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. 1543 amends the Human Resources Code to require an employee of the Department of Family and Protective Services (DFPS), before the employee conducts an interview as part of a DFPS investigation, to orally notify the person who is the subject of the interview that the person has the right to record the interview using an audio recording device and to obtain written verification from the person that the employee provided the notice. The bill expressly does not require a DFPS employee to provide such notice to an alleged victim of self-neglect or a person who the DFPS employee suspects is incapacitated. The bill's provisions apply to all investigations conducted by DFPS, including investigations conducted by the adult protective services division and the child protective services division.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.