

## **BILL ANALYSIS**

Senate Research Center  
82R16572 TJB-F

H.B. 3234  
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Health & Human Services  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

According to a recent news article, some former foster children are having difficulties obtaining their foster records from the Department of Family and Protective Services (DFPS). In some cases, a records request could be left pending for the better part of a year. While certain records requests, such as a request for a file relating to a legal case, must be given priority over a records request made by a former foster child, having to wait an extended period of time to receive such records can be very inconvenient. In many cases a former foster child needs the information to prove the person's legal name or to apply for certain identification cards, and the records may be necessary for the person to fully understand the person's experience in the foster care system.

H.B. 3234 seeks to address this issue by requiring DFPS to establish guidelines that prioritize requests to release case records.

H.B. 3234 amends current law relating to the prioritization of requests to release certain case records maintained by the Department of Family and Protective Services.

### **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Department of Family and Protective Services in SECTION 1 (Section 264.0145, Family Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 264, Family Code, by adding Section 264.0145, as follows:

Sec. 264.0145. RELEASE OF CASE RECORD. (a) Defines "case record" in this section.

(b) Requires the Department of Family and Protective Services (DFPS) by rule to establish guidelines that prioritize requests to release case records, including those made by an adult previously in DFPS's managing conservatorship.

(c) Provides that DFPS is not required to release a copy of the case record except as provided by law and DFPS rule.

SECTION 2. Effective date: September 1, 2011.