

BILL ANALYSIS

Senate Research Center
83R28829 MCK-D

C.S.H.B. 3259
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Jurisprudence
5/20/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Children's advocacy centers provide support in cases of child abuse and neglect and often help create video interviews of children who have been the victims of sexual violence or other similar crimes. Current law regarding the confidentiality and use of such materials refers to "audiotapes" and "videotapes." However, these types of media are now stored on disks and hard drives and not audiotapes and videotapes. Interested parties assert that this inconsistency can place a judge in a difficult situation when denying a request for the reproduction or release of these materials.

C.S.H.B. 3259 seeks to address this issue by modernizing certain statutory language.

C.S.H.B. 3259 amends current law relating to the ownership of and access to certain investigation records in child abuse and neglect cases.

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 Section 264.0145(a), Family Code, to redefine "case record," in this section.

SECTION 2. Amends Sections 264.408(d), (d-1), and (e), Family Code, as follows:

(d) Provides that a video recording of an interview, rather than a videotaped interview, of a child that is made at a child advocacy center is the property of the prosecuting attorney involved in the criminal prosecution of the case involving the child. Makes conforming changes.

(d-1) Makes conforming changes.

(e) Makes conforming changes.

SECTION 3. Effective date: September 1, 2013.