



The Senate of Texas

KEVIN SPARKS

DISTRICT 31

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SENATOR SPARKS PASSES ANONYMOUS REPORTING REFORM AND PROTECTIONS

Bill Aimed at Reforming CPS & DFPS Anonymous Reporting Protocols in Texas

AUSTIN, TEXAS—Senator Kevin Sparks and Representative Valoree Swanson have recently passed House Bill 63 that prevents CPS and DFPS from accepting anonymous reports relating to child abuse or neglect, including the potential preliminary investigation report(s). The passage of House Bill 63 elevates all reporting to a privileged confidential status for the purpose of CPS verifying the individual making a report relating to the abuse or neglect of children while keeping all contact or identifiable information confidential. Individuals can still make anonymous reports to their local 9-1-1 authorities and ensures the rights of all parents involved have their rights secured prior to the start of an investigation. Penalties will only occur if a person knowingly makes a false report.

Confidential reporting will remain a best practice with HB 63 in place; however, the exploitive loophole will close. "I am honored to author House Bill 63, which will preserve the integrity of DFPS procedures, protect Texans against false and exploitive reporting, and ensure privacy to families under investigation," Swanson said. "I am thankful to Senator Kevin Sparks for working with me on this momentous, bipartisan legislation that will balance the needs of law enforcement and the constitutional rights of families in the State of Texas. I am excited to see the Governor sign HB 63 into law soon." Texas will join nineteen other states in banning anonymous reporting including Colorado and Arizona.

House Bill 63 will reinforce the safety of the child, the rights of the parents and the confidentiality relating to the reporter. Furthermore, the legislation will specify what type of DFPS agents can have access to the reporter's private information and strengthen the language concerning the confidentiality during the investigation. "As Texans, we need to ensure the safety of our children in any situation. House Bill 63 will allow for more accountability and protections for those involved in potential CPS and DFPS investigations relating to neglect and abuse," said Sparks. "Without this necessary reform, both agencies will struggle to verify reports and can complicate the issue with hours of wasted time on false accusations." HB 63 can also allow law enforcement to protect the reporter from retaliation via the new identity verification requirement.

This legislation does not mitigate the ability for individuals to anonymously report potential cases of child neglect or abuse. Local law enforcement agencies can still receive and process anonymous reports relating to this issue. Currently, CPS and DFPS cannot verify the identity of a caller which enables exploitation of the system. House Bill 63 will prevent this exploitation, while providing additional protections to legitimate reporters. "CPS and DFPS have a duty to safeguard our children in Texas. Their ability to pursue and investigate any legitimate instances of child abuse or neglect will further the duty of these agencies," said Sparks. "Families serve as the foundation for our communities. House Bill 63 will enhance protections for families and community members while preserving the request for privacy in reporting injustice committed against children."

Senator Kevin Sparks is a resident of Midland and serves the citizens of Texas Senate District 31, which encompasses the Permian Basin and most of the Texas High Plains.

Representative Valoree Swanson is a resident of Spring and serves the citizens of Texas House District 150, which encompasses portions of Spring, Klein, Tomball, and The Woodlands.

