

By: Miles

S.B. No. 1629

A BILL TO BE ENTITLED

AN ACT

relating to failure to report assault, neglect, or omission of care in certain group homes; creating a criminal offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 38, Penal Code, is amended by adding Section 38.172 to read as follows:

Sec. 38.172. FAILURE TO REPORT ASSAULT, NEGLIGENCE, OR OMISSION OF CARE IN CERTAIN GROUP HOMES. (a) For purposes of this section, "group home" means an establishment that:

(1) provides, in one or more buildings, lodging to three or more residents who are unrelated by blood or marriage to the owner of the establishment; and

(2) provides those residents with community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication but does not provide them with personal care services as defined by Section 247.002, Health and Safety Code.

(b) A person commits an offense if the person:

(1) has reasonable cause to believe that a resident of a group home has suffered bodily injury due to assault, neglect, or an omission in care; and

(2) fails to report that fact to law enforcement or the Department of Family and Protective Services.

1 (c) An offense under this section is a state jail felony.

2 (d) If conduct constituting an offense under this section
3 also constitutes an offense under any other law, the actor may be
4 prosecuted under this section, the other law, or both.

5 SECTION 2. This Act takes effect September 1, 2021.