

By: Campos

H.B. No. 1421

A BILL TO BE ENTITLED

AN ACT

1
2 relating to increasing the criminal penalty for a peace officer who
3 fails to report the suspected abuse, neglect, or exploitation of an
4 elderly person or a person with a disability.

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

6 SECTION 1. Section 48.052(a), Human Resources Code, is
7 amended to read as follows:

8 (a) A person commits an offense if the person has cause to
9 believe that an elderly person or person with a disability has been
10 abused, neglected, or exploited or is in the state of abuse,
11 neglect, or exploitation and knowingly fails to report in
12 accordance with this chapter. An offense under this subsection is a
13 Class A misdemeanor, except that the offense is a state jail felony
14 if it is shown on the trial of the offense that:

15 (1) the abused, neglected, or exploited person is a
16 person with an intellectual disability who resided in a state
17 supported living center, the ICF-IID component of the Rio Grande
18 State Center, or a facility licensed under Chapter 252, Health and
19 Safety Code, and the actor knew that the person had suffered serious
20 bodily injury as a result of the abuse, neglect, or exploitation; or

21 (2) the actor is a peace officer who encountered the
22 abused, neglected, or exploited person in the course of discharging
23 duties as a peace officer.

24 SECTION 2. The change in law made by this Act applies only

1 to an offense committed on or after the effective date of this Act.
2 An offense committed before the effective date of this Act is
3 governed by the law in effect on the date the offense was committed,
4 and the former law is continued in effect for that purpose. For
5 purposes of this section, an offense was committed before the
6 effective date of this Act if any element of the offense occurred
7 before that date.

8 SECTION 3. This Act takes effect September 1, 2023.