

By: Toth

H.B. No. 1097

A BILL TO BE ENTITLED

AN ACT

relating to the duty of certain professionals to report child abuse or neglect.

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

SECTION 1. Section 261.101(b), Family Code, is amended to read as follows:

(b) If a professional has reasonable cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has reasonable cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first has reasonable cause to believe that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, "professional":

(1) means:

(A) an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children; or

(B) an individual who:

1                    (i) is a member of a board of directors,  
2 board of trustees, or other governing body of a nonprofit  
3 organization, religious organization or church, or school  
4 district, open-enrollment charter school, or private school; and

5                    (ii) in the normal course of official  
6 duties, may receive reports regarding misconduct against children  
7 by individuals employed by or otherwise affiliated with the entity  
8 that the board or governing body manages; and

9                    (2) [~~—The term~~] includes teachers, nurses, doctors,  
10 day-care employees, employees of a clinic or health care facility  
11 that provides reproductive services, juvenile probation officers,  
12 and juvenile detention or correctional officers.

13                SECTION 2. This Act takes effect September 1, 2025.