

By: Toth

H.B. No. 1255

A BILL TO BE ENTITLED

AN ACT

relating to increasing the criminal penalty for certain offenses committed by a professional who is required to report child abuse or neglect and against a child under the care of that professional.

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

SECTION 1. Subchapter D, Chapter 12, Penal Code, is amended by adding Section 12.503 to read as follows:

Sec. 12.503. PROFESSIONALS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT: PENALTY FOR CERTAIN OFFENSES COMMITTED AGAINST CHILDREN UNDER THEIR CARE. (a) Subject to Subsection (c), the punishment for an offense described by Subsection (b) is increased to the punishment prescribed for the next higher category of offense if it is shown on the trial of the offense that the offense was committed:

(1) by a professional, as defined by Section 261.101, Family Code; and

(2) against a child who, at the time of the offense, was under the professional's care, custody, or control.

(b) The increase in punishment authorized by this section applies only to an offense under:

(1) Section 15.031;

(2) Section 15.032;

(3) Section 20A.02;

(4) Section 20A.03;

(5) Section 21.02;

1 (6) Section 21.11;

2 (7) Section 22.011;

3 (8) Section 22.012; or

4 (9) Section 22.021.

5 (c) If an offense listed under Subsection (b) is punishable
6 as a Class A misdemeanor, the minimum term of confinement for the
7 offense is increased to 180 days. If an offense listed under
8 Subsection (b) is punishable as a felony of the first degree, the
9 punishment for that offense may not be increased under this
10 section.

11 SECTION 2. The change in law made by this Act applies only
12 to an offense committed on or after the effective date of this Act.
13 An offense committed before the effective date of this Act is
14 governed by the law in effect on the date the offense was committed,
15 and the former law is continued in effect for that purpose. For
16 purposes of this section, an offense was committed before the
17 effective date of this Act if any element of the offense occurred
18 before that date.

19 SECTION 3. This Act takes effect September 1, 2025.