

Amend SB 669 (House Committee Printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Subsection (e), Section 261.302, Family Code, is amended to read as follows:

(e) An interview by an investigating agency, other than the department, with a child alleged to be a victim of physical abuse or sexual abuse shall be audiotaped or videotaped unless the investigating agency determines that good cause exists for not audiotaping or videotaping the interview in accordance with rules of the agency. Good cause may include, but is not limited to, such considerations as the age of the child and the nature and seriousness of the allegations under investigation. An interview by the department with a child alleged to be the victim of physical abuse or sexual abuse shall be audiotaped or videotaped unless a parent of the child observes the interview or agrees in writing that the department may proceed with the interview without taping the interview or a court, on finding good cause, waives the requirement. Nothing in this subsection shall be construed as prohibiting the department or other investigating agency from audiotaping or videotaping an interview of a child on any case for which such audiotaping or videotaping is not required under this subsection. The fact that the department or other investigating agency failed to audiotape or videotape an interview is admissible at the trial of the offense that is the subject of the interview.

SECTION _____. Section 262.201(a), Family Code, is amended to read as follows:

(a) Unless the child has already been returned to the parent, managing conservator, possessory conservator, guardian, caretaker, or custodian entitled to possession and the temporary order, if any, has been dissolved, a full adversary hearing shall be held not later than the 14th day after the date the child was taken into possession by the governmental entity. The parent, managing conservator, possessory conservator, guardian, caretaker, or custodian entitled to possession of the child may petition the court to hold the hearing on a date earlier than the date set by the court under this subsection.

(2) Strike SECTION 3 of the bill (page 2, lines 19-24) and substitute the following appropriately numbered SECTION:

SECTION _____. (a) This Act takes effect September 1, 2003.

(b) Sections 261.301 and 261.302, Family Code, as amended by this Act, apply only to the investigation of a report of child abuse or neglect made on or after the effective date of this Act, without regard to whether the abuse or neglect occurred before, on, or after that date. The investigation of a report made before the effective date of this Act is governed by the law in effect on the date the report was made, and the former law is continued in effect for that purpose.

(b) Section 262.201(a), Family Code, as amended by this Act, applies only to a hearing with regard to a child taken into possession by a governmental entity on or after the effective date of this Act. A hearing with regard to a child taken into possession by a governmental entity before the effective date of this Act is governed by the law in effect on the date the child was taken into possession by the governmental entity, and the former law is continued in effect for that purpose.