

## **BILL ANALYSIS**

H.B. 263  
By: Goodman  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Children's Advocacy Centers ("CACs") are established to ensure effective coordination among the professionals who investigate and prosecute child abuse. At the core of every CAC is a multi-disciplinary team of law enforcement, prosecution, child protective services, the medical and mental health fields and CAC program staff. These teams are provided with support from their local communities in the form of local board of directors and volunteers who ensure the establishment of a child friendly, neutral environment to establish a child sensitive, effective approach to these difficult cases as well as the provision of appropriate intervention services to victim's families.

In 1995, enabling legislation in the Family Code was enacted to define CACs and to establish standards for operation. At that time, the membership of Children's Advocacy Centers™ of Texas' included the 13 existing centers in the state. Today, 53 CACs provide services to more than 24,000 victims of child abuse in 129 Texas counties each year.

House Bill 263 will provide additional clarity and an accurate reflection of current practices regarding organizational structure, ongoing operations and delivery of services among Texas CACs.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **SECTION BY SECTION ANALYSIS**

**Section 1.** Amends Family Code Sections 264.402, 264.404 and 264.406 to reflect current practice in the establishment of a children's advocacy center, board membership requirements, and the multidisciplinary team member requirements and duties. Provides that community members may be involved in the establishment of a children's advocacy center and the participating entities may serve one county as well as two or more contiguous counties. Provides that, in addition to other persons serving on the board, the membership must include an executive officer, or an employee selected by an executive officer of a law enforcement agency that investigates child abuse in the area served by the center; the child protective services division of the Texas Department of Protective and Regulatory Services (DPRS); and the county or district attorney's office involved in prosecution of child abuse in the area.

Section 264.404 also eliminates the requirement of appointment of a member to serve on the governing board. Requires multidisciplinary teams to consist of employees of the participating agencies who are professionals involved in the investigation and prosecution of child abuse cases. Allows professionals involved in the delivery of services to serve as members. Requires multidisciplinary meetings at regularly scheduled intervals to review cases, coordinate investigations and delivery of services.

- Section 2.** Amends Family Code Section 264.411(a) to provide that a public entity that operated as a center under this subchapter before November 1, 1995 or a nonprofit entity is eligible for a contract under Section 264.410, Family Code provided that the entity has a signed memorandum of understanding as provided by Section 264.403 and operates under a working protocol that includes a statement of the center's procedures for conducting case reviews and forensic interviews and for ensuring access to specialized medical and mental health services, and the center's policies regarding confidentiality and conflict resolution.
- Section 3.** Amends Section 411.114(a)(3) of the Government Code to entitle the Department of Protective and Regulatory Services to obtain criminal history record information maintained by the department that relates to a person who is an employee, volunteer, or applicant volunteer of a children's advocacy center, including a member of the governing board of the center.
- Section 4.** This Act takes effect September 1, 2003. (b) The change in law made by this Act to Section 264.411(a), Family Code, applies only to a contract entered into under Section 264.410, Family Code, on or after the effective date of this Act. A contract entered into before the effective date of this Act is governed by the law in effect on the date the contract was entered into, and the former law is continued in effect for that purpose.

**EFFECTIVE DATE**

September 1, 2003.