

BILL ANALYSIS

H.B. 3113
By: Dunnam
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, there is confusion among health care professionals about reporting requirements to law enforcement for teenage sexual activity. The confusion stems from a Senate amendment to House Bill 360, 77th Legislature. The original bill was introduced to end the sexual victimization of children forced to engage in sexual performances by expanding the definition of “abuse” to include sexual performance by a child. The Senate amendment added language explicitly covering some Penal Code offenses that were already included in the law’s general definition.

H.B.3113 clarifies the definition of abuse by limiting the term to provide that abuse includes sexual conduct harmful to a child’s mental, emotional, or physical welfare.

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 Section 261.001(1)(E), Family Code, to provide that “abuse” includes all sexual conduct harmful to a child’s mental, emotional, or physical welfare.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all members elected to each house, as provided by Section 39, Article III, Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2003. T e x a s

EFFECTIVE DATE

Upon passage, or if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.