

BILL ANALYSIS

Senate Research Center

C.S.S.B. 143
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Criminal Justice
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Committee Report (Substituted)

DIGEST AND PURPOSE

Current law requires any person who has cause to believe that a child's welfare is in danger from abuse or neglect to report the suspected abuse or neglect. C.S.S.B. 143 extends the statute of limitations and enhances the penalty for failure to report abuse or neglect constituting indecency with a child, sexual assault of a child, or aggravated sexual assault of a child.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 12.02, Code of Criminal Procedure, as follows:

- (a) Created from existing text. Makes a conforming and a nonsubstantive change.
- (b) Authorizes an indictment or information for failure to report abuse or neglect under Section 261, Family Code, to be presented within 10 years from the 18th birthday, and not afterward, of the child whose physical or mental health or welfare has been or may have been adversely affected by abuse or neglect constituting a indecency with a child, sexual assault of a child, or aggravated sexual assault of a child under certain sections of the Penal Code.

SECTION 2. (a) Effective date: September 1, 2003.

- (b) Provides that the change in law made by this Act to Article 12.02, Code of Criminal Procedure, does not apply to an offense if the prosecution of that offense became barred by limitation before the effective date of this Act. Provides that the prosecution of that offense remains barred as if this Act had not taken effect.