

BILL ANALYSIS

Senate Research Center

S.B. 669
By: Ogden
Health & Human Services
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Enrolled

DIGEST AND PURPOSE

Currently, the Department of Protective and Regulatory Services (DPRS) and local law enforcement are required to conduct a joint investigation of a report of serious physical or sexual abuse of a child. Local law enforcement and DPRS are not expressly required to respond together to a report of serious physical or sexual abuse of a child. S.B. 669 requires local law enforcement to accompany DPRS caseworkers when responding to Priority I reports of abuse, which concern children who appear to face an immediate risk of abuse or neglect that could result in death or serious harm.

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 Section 261.301, Family Code, by amending Subsection (f) and adding Subsection (h), as follows:

(f) Requires an investigation of a report to the Department of Protective and Regulatory Services (DPRS) that is assigned the highest priority in accordance with DPRS rules adopted under Subsection (d) and that alleges an immediate risk of physical or sexual abuse of a child that could result in the death of or serious harm to the child to be conducted jointly by a peace officer, as defined by Article 2.12, Code of Criminal Procedure (Who are Peace Officers), from the appropriate local law enforcement agency, rather than an investigator, and DPRS or the agency responsible for conducting an investigation under Subchapter E. Makes nonsubstantive changes.

(h) Requires DPRS and the appropriate local law enforcement agency to conduct an investigation, other than an investigation under Subchapter E, as provided by this section and Article 2.27, Code of Criminal Procedure (Investigation of Certain Reports Alleging Child Abuse), if the investigation is of a report of child abuse or neglect that is assigned the highest priority in accordance with DPRS rules adopted under Subsection (d) and that alleges an immediate risk of physical or sexual abuse of a child that could result in the death of or serious harm to the child. Requires DPRS, immediately on receipt of a report described by this subsection, to notify the appropriate local law enforcement agency of the report.

SECTION 2. Amends Article 2.27, Code of Criminal Procedure, to require the peace officer, as soon as possible after being notified by DPRS of the report, but not later than 24 hours after being notified, to accompany the DPRS investigator in initially responding to the report. Makes conforming and nonsubstantive changes.

SECTION 3. Effective date: September 1, 2003.
Makes application of this Act prospective.