

By: Ogden

S.B. No. 669

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the investigation of certain reports of child abuse or
3 neglect.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 261.301, Family Code, is amended by
6 amending Subsection (f) and adding Subsection (h) to read as
7 follows:

8 (f) An investigation of a report to the department that is
9 assigned the highest priority in accordance with department rules
10 adopted under Subsection (d) or that alleges ~~[of]~~ serious physical
11 or sexual abuse of a child shall be conducted jointly by a peace
12 officer, as defined by Article 2.12, Code of Criminal Procedure,
13 [an investigator] from the appropriate local law enforcement agency
14 and the department or the agency responsible for conducting an
15 investigation under Subchapter E.

16 (h) The department and the appropriate local law
17 enforcement agency shall conduct an investigation, other than an
18 investigation under Subchapter E, as provided by this section and
19 Article 2.27, Code of Criminal Procedure, if the investigation is
20 of a report of child abuse or neglect that is assigned the highest
21 priority in accordance with department rules adopted under
22 Subsection (d) or a report that alleges serious physical or sexual
23 abuse of a child. Immediately on receipt of a report described by
24 this subsection, the department shall notify the appropriate local

1 law enforcement agency of the report.

2 SECTION 2. Article 2.27, Code of Criminal Procedure, is
3 amended to read as follows:

4 Art. 2.27. INVESTIGATION OF CERTAIN REPORTS ALLEGING CHILD
5 ABUSE. On receipt of a report that is assigned the highest priority
6 in accordance with rules adopted by the Department of Protective
7 and Regulatory Services under Section 261.301(d), Family Code, or
8 any other report that alleges [~~alleging~~] serious physical or sexual
9 abuse of a child by a person responsible for the care, custody, or
10 welfare of the child, a peace officer [~~an investigator~~] from the
11 appropriate local law enforcement agency shall investigate the
12 report jointly with the department [~~Department of Protective and~~
13 ~~Regulatory Services~~] or with the agency responsible for conducting
14 an investigation under Subchapter E, Chapter 261, Family Code. As
15 soon as possible after being notified by the department of the
16 report, but not later than 24 hours after being notified, the peace
17 officer shall accompany the department investigator in initially
18 responding to the report.

19 SECTION 3. This Act takes effect September 1, 2003, and
20 applies only to the investigation of a report of child abuse or
21 neglect made on or after that date. The investigation of a report
22 of child abuse or neglect made before the effective date of this Act
23 is governed by the law in effect on the date the report was made, and
24 the former law is continued in effect for that purpose.