

By: Christian

H.B. No. 3332

A BILL TO BE ENTITLED

1 AN ACT

2 relating to certain interviews conducted in investigations of child
3 abuse or 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 adding Subsection (a-1) to read as follows:

7 (a-1) An interview of the person alleged to have committed
8 child abuse or neglect must be conducted by a law enforcement
9 agency.

10 SECTION 2. Section 261.3011(a), Family Code, is amended to
11 read as follows:

12 (a) The department shall, in consultation with the
13 appropriate law enforcement agencies, develop guidelines and
14 protocols for joint investigations by the department and the law
15 enforcement agency under Section 261.301. The guidelines and
16 protocols must:

17 (1) clarify the respective roles of the department and
18 law enforcement agency in conducting the investigation, including
19 the requirement that the law enforcement agency conduct any
20 interview of a person alleged to have committed child abuse or
21 neglect;

22 (2) require that mutual child protective services and
23 law enforcement training and agreements be implemented by both
24 entities to ensure the integrity and best outcomes of joint

1 investigations; and

2 (3) incorporate the use of forensic methods in
3 determining the occurrence of child abuse and neglect.

4 SECTION 3. The change in law made by this Act applies only
5 to a report of the abuse or neglect of a child made on or after the
6 effective date of this Act. A report made before the effective date
7 of this Act is governed by the law in effect at the time the report
8 was made, and the former law is continued in effect for that
9 purpose.

10 SECTION 4. This Act takes effect September 1, 2007.