

AN ACT

relating to school district policies addressing sexual abuse of children and establishment of a state strategy to reduce child abuse and neglect and improve child welfare.

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

SECTION 1. This Act shall be known as Jenna's Law.

SECTION 2. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.0041 to read as follows:

Sec. 38.0041. POLICIES ADDRESSING SEXUAL ABUSE OF CHILDREN.

(a) Each school district shall adopt and implement a policy addressing sexual abuse of children to be included in the district improvement plan under Section 11.252 and any informational handbook provided to students and parents.

(b) A policy required by this section must address:

(1) methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children, including knowledge of likely warning signs indicating that a child may be a victim of sexual abuse, using resources developed by the agency under Section 38.004;

(2) actions that a child who is a victim of sexual abuse should take to obtain assistance and intervention; and

(3) available counseling options for students affected by sexual abuse.

SECTION 3. (a) In this section, "task force" means the task

1 force established under this section to establish a strategy for  
2 reducing child abuse and neglect and improving child welfare.

3 (b) The task force consists of nine members appointed as  
4 follows:

5 (1) five members appointed by the governor;

6 (2) two members appointed by the lieutenant governor;  
7 and

8 (3) two members appointed by the speaker of the house  
9 of representatives.

10 (c) Members of the task force must be individuals who are  
11 actively involved in the fields of the prevention of child abuse and  
12 neglect and child welfare. The appointment of members must reflect  
13 the geographic diversity of the state.

14 (d) The task force shall elect a presiding officer by a  
15 majority vote of the membership of the task force.

16 (e) The task force shall meet at the call of the presiding  
17 officer.

18 (f) Chapter 2110, Government Code, does not apply to the  
19 task force.

20 (g) The task force shall establish a strategy for reducing  
21 child abuse and neglect and for improving child welfare in this  
22 state. In establishing that strategy, the task force shall:

23 (1) gather information concerning child safety, child  
24 abuse and neglect, and child welfare throughout the state;

25 (2) review the exemptions from criminal liability  
26 provided under the Penal Code to a mother who injures her unborn  
27 child by using a controlled substance, as defined by Chapter 481,

1 Health and Safety Code, other than a controlled substance legally  
2 obtained by prescription, during her pregnancy and examine the  
3 effect that repealing the exemptions will have on reducing the  
4 number of babies who are born addicted to a controlled substance;

5 (3) receive reports and testimony from individuals,  
6 state and local agencies, community-based organizations, and other  
7 public and private organizations;

8 (4) create goals for state policy that would improve  
9 child safety, prevent child abuse and neglect, and improve child  
10 welfare; and

11 (5) submit a strategic plan to accomplish those goals.

12 (h) The strategic plan submitted under Subsection (g) of  
13 this section may include proposals for specific statutory changes,  
14 the creation of new programs, and methods to foster cooperation  
15 among state agencies and between the state and local government.

16 (i) The task force shall consult with employees of the  
17 Department of Family and Protective Services, the Department of  
18 State Health Services, and the Texas Department of Criminal Justice  
19 as necessary to accomplish the task force's responsibilities under  
20 this Act.

21 (j) The task force may cooperate as necessary with any other  
22 appropriate state agency.

23 (k) The governor, lieutenant governor, and speaker of the  
24 house of representatives shall appoint the members of the task  
25 force not later than October 1, 2009.

26 (l) Not later than November 1, 2010, the task force shall  
27 submit the strategic plan required by Subsection (g) of this

1 section to the governor, lieutenant governor, and speaker of the  
2 house of representatives.

3 (m) The task force is abolished and this section expires on  
4 September 1, 2011.

5 SECTION 4. This Act takes effect immediately if it receives  
6 a vote of two-thirds of all the members elected to each house, as  
7 provided by Section 39, Article III, Texas Constitution. If this  
8 Act does not receive the vote necessary for immediate effect, this  
9 Act takes effect September 1, 2009.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1041 was passed by the House on May 7, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 1041 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 1041 on May 31, 2009, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

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Chief Clerk of the House

H.B. No. 1041

I certify that H.B. No. 1041 was passed by the Senate, with amendments, on May 25, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 1041 on May 31, 2009, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor