

BILL ANALYSIS

Senate Research Center

S.B. 1154
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Health & Human Services
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Child abuse and neglect kills more than three children every day in the United States. Nearly 85 percent of the child victims are under the age of six, and nearly half of them are less than one year old. In Texas, a child is abused or neglected every 11 minutes, and the number of children in foster care due to child abuse in the home increased 30 percent between 2001 and 2005.

S.B. 2080, 81st Legislature, Regular Session, 2009, established the Texas Statewide Blue Ribbon Task Force (task force) to develop a strategy to further prevent child abuse and neglect. The task force made significant strides in the strategy, as outlined in an interim report that has been made available to legislators. The task force provided several contributions to policy being developed in the 82nd Legislature that address neglect and abuse of children.

S.B. 1154 continues the nine-member task force to further develop and implement a strategic plan to combat child abuse and improve child welfare. The task force is well-positioned to foster cooperation among state agencies and local governments, and continuing the task force will ensure that the agencies responsible for children receive a top-to-bottom review of their policies, procedures, and resources.

S.B. 1154 amends current law relating to a task force for the development of a strategy to reduce child abuse and neglect and improve child welfare.

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 Chapter 264, Family Code, by adding Subchapter H-1, as follows:

SUBCHAPTER H-1. TASK FORCE TO REDUCE CHILD ABUSE AND NEGLECT AND IMPROVE CHILD WELFARE

Sec. 264.721. ESTABLISHMENT OF TASK FORCE. Establishes a task force under this subchapter to develop a strategy to reduce child abuse and neglect and improve child welfare.

Sec. 264.722. TASK FORCE. (a) Provides that the task force consists of nine members appointed as follows:

- (1) seven members appointed by the governor, two of whom must be appointed from a list of candidates submitted by the speaker of the house of representatives; and
- (2) two members appointed by the lieutenant governor.

- (b) Requires members of the task force to be individuals who are actively involved in the prevention of child abuse and neglect and the improvement of child welfare, and represent a diversity of backgrounds.
- (c) Requires that appointments to the task force be made without regard to race, color, disability, sex, religion, age, or national origin of the appointee.
- (d) Provides that a task force member is not entitled to compensation for service on the task force but is entitled to reimbursement for travel expenses as provided by Chapter 660 (Travel Expenses), Government Code, and the General Appropriations Act.
- (e) Requires the task force to elect a presiding officer by a majority vote of the membership of the task force.
- (f) Requires the task force to meet at the call of the presiding officer.
- (g) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the task force.

Sec. 264.723. TASK FORCE DUTIES. (a) Requires the task force to identify:

- (1) all existing programs in the state relating to reducing child abuse and neglect or improving child welfare; and
- (2) the programs described by Subdivision (1) that receive state money.

(b) Requires the task force to establish a strategy for reducing child abuse and neglect and for improving child welfare in this state. Requires the task force, in establishing that strategy, to:

- (1) gather information concerning child safety, child abuse and neglect, and child welfare throughout the state;
- (2) receive reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations;
- (3) create goals for state policy that would improve child safety, prevent child abuse and neglect, and improve child welfare;
- (4) review and revise the strategic plan to accomplish those goals submitted by a previous task force; and
- (5) submit the revised strategic plan.

(c) Authorizes the revised strategic plan submitted under Subsection (b) to include proposals for specific statutory changes, the creation of new programs, and methods to foster cooperation among state agencies and between the state and local governments.

Sec. 264.724. SUPPORT AGENCY DUTIES. Requires the Department of Family and Protective Services (DFPS), the Department of State Health Services (DSHS), the Texas Department of Criminal Justice (TDCJ), the Texas Youth Commission (TYC), the Texas Juvenile Probation Commission (TJPC), The University of Texas System, and The Texas A&M University System to:

- (1) provide administrative support services to the task force;

- (2) coordinate administrative responsibilities with the task force to avoid unnecessary duplication of duties;
- (3) share equally the costs of the task force, including reimbursement for travel expenses, administrative expenses, and the costs of publishing the task force's strategic plan; and
- (4) each designate a person to serve as the agency liaison with the task force.

Sec. 264.725. CONSULTATION WITH OTHER AGENCIES; PRIVATE FOUNDATIONS. (a) Requires the task force to consult with employees of DFPS, DSHS, TDCJ, TYC, TJPC, The University of Texas System, and The Texas A&M University System as necessary to accomplish the task force's responsibilities under this subchapter.

- (b) Requires the task force to cooperate as necessary with any other state agency.
- (c) Authorizes the task force to consult with private foundations that have made a substantial commitment to the prevention of child abuse in this state to accomplish the task force's responsibilities under this chapter.

Sec. 264.726. FUNDING; ACCOUNT. (a) Requires the task force to review the funding strategies for the task force and develop proposals for expanding the sources of funds available to finance the activities of the task force.

- (b) Authorizes the task force to accept gifts and grants from individuals or private or public organizations and accept federal and local funds to support the task force.
- (c) Provides that the child abuse reduction task force account is an account in the general revenue fund. Authorizes money in the account to be appropriated only to the task force for the purposes of this subchapter. Provides that the child abuse reduction task force account is exempt from the application of Section 403.095 (Use of Dedicated Revenue), Government Code. Provides that the account consists of:

- (1) gifts and grants to the task force;
- (2) money received by the task force from the federal, state, or local government; and
- (3) notwithstanding Section 404.071 (Disposition of Interest on Investments), Government Code, all interest attributable to money held in the account.

Sec. 264.727. SUBMISSION OF PLAN. Requires the task force, not later than December 1, 2012, to submit the strategic plan required by Section 264.723 to the governor, lieutenant governor, and speaker of the house of representatives.

Sec. 264.728. EXPIRATION. Provides that the task force is abolished and this subchapter expires September 1, 2013.

SECTION 2. Requires the governor and lieutenant governor to appoint the members of the task force as required by Section 264.722, Family Code, as added by this Act, not later than October 1, 2011.

SECTION 3. Effective date: upon passage or September 1, 2011.