

By: Nelson, Uresti

S.B. No. 434

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of a task force to address the relationship between domestic violence and child abuse and neglect.

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

SECTION 1. Chapter 531, Government Code, is amended by adding Subchapter W to read as follows:

SUBCHAPTER W. TASK FORCE TO ADDRESS THE RELATIONSHIP BETWEEN DOMESTIC VIOLENCE AND CHILD ABUSE AND NEGLECT

Sec. 531.951. DEFINITIONS. In this subchapter:

(1) "Department" means the Department of Family and Protective Services.

(2) "Task force" means the Task Force to Address the Relationship Between Domestic Violence and Child Abuse and Neglect.

Sec. 531.952. ESTABLISHMENT OF TASK FORCE; COMPOSITION.

(a) The task force is established to examine the relationship between family violence and child abuse and neglect, develop policy recommendations, if needed, to address issues and effects resulting from that relationship, and develop comprehensive statewide best practices guidelines for both child protective services and family violence shelter centers.

(b) The task force is composed of:

(1) one member from the commission's Family Violence Program, appointed by the executive commissioner; and

(2) at least 17 members appointed by the presiding

1 officer of the task force as follows:

2 (A) one member from the department;

3 (B) one member from a statewide family violence  
4 advocacy organization;

5 (C) one member from a statewide sexual assault  
6 advocacy organization;

7 (D) one member from a statewide advocacy  
8 organization that serves abused and neglected children in the  
9 foster care system;

10 (E) one member from a statewide child abuse  
11 advocacy organization;

12 (F) one member from a statewide organization with  
13 expertise in the establishment and operation of a children's  
14 advocacy center program;

15 (G) one member who is a mental health  
16 professional with experience working with clients affected by child  
17 abuse and domestic violence;

18 (H) one member who is a judge with experience  
19 working with cases involving child protective services;

20 (I) one member from The University of Texas  
21 School of Law domestic violence clinic;

22 (J) one member from The University of Texas  
23 School of Law children's rights clinic;

24 (K) one member from each of four different family  
25 violence centers as defined by Section 51.002, Human Resources  
26 Code, reflecting the geographic diversity of the state;

27 (L) one member from a legal assistance

1 organization involved with child protection and family violence  
2 issues;

3 (M) one member from the law enforcement  
4 community;

5 (N) one member who is a licensed physician who  
6 specializes in child abuse pediatrics; and

7 (O) any other member that the presiding officer  
8 determines to be appropriate.

9 Sec. 531.953. VACANCY. A vacancy on the task force shall be  
10 filled in the same manner as the original appointment.

11 Sec. 531.954. PRESIDING OFFICER. The member representing  
12 the commission's Family Violence Program serves as the presiding  
13 officer of the task force.

14 Sec. 531.955. MEETINGS. The task force shall meet at the  
15 call of the presiding officer.

16 Sec. 531.956. COMPENSATION; REIMBURSEMENT. Members of the  
17 task force serve without compensation or reimbursement for  
18 expenses.

19 Sec. 531.957. DUTIES. (a) The task force shall:

20 (1) receive reports and testimony from individuals,  
21 state and local agencies, community-based organizations, and other  
22 public and private organizations, including:

23 (A) adult survivors of family violence that have  
24 been impacted by child protective services investigations; and

25 (B) young adults who as children were impacted by  
26 both family violence and child protective services intervention;  
27 and

1           (2) develop policy recommendations for addressing the  
2 relationship between family violence and child abuse and neglect  
3 and develop comprehensive statewide best practices guidelines for  
4 both child protective services and family violence shelter centers.

5           (b) In developing policy recommendations and best practices  
6 guidelines under Subsection (a)(2), the task force shall:

7           (1) examine the findings and recommendations of the  
8 National Council of Juvenile and Family Court Judges Family  
9 Violence Department's report "Effective Intervention in Domestic  
10 Violence & Child Maltreatment Cases: Guidelines for Policy and  
11 Practice"; and

12           (2) examine the key concepts regarding child safety  
13 plans and decision making found in the 2009 edition of the American  
14 Bar Association's "Child Safety: A Guide for Judges and  
15 Attorneys."

16           (c) The task force shall prepare a report that includes:

17           (1) a description of the activities of the task force;  
18           (2) the findings and recommendations of the task  
19 force, including the proposed policy recommendations and  
20 guidelines required by Subsection (a)(2); and

21           (3) any legislation or other matter that the task  
22 force considers appropriate.

23           (d) Not later than September 1, 2012, the task force shall  
24 submit to the governor, the lieutenant governor, the speaker of the  
25 house of representatives, and the appropriate committees of the  
26 senate and the house of representatives the report required by  
27 Subsection (c).

1       Sec. 531.958. ADMINISTRATIVE SUPPORT. The commission shall  
2 provide reasonably necessary administrative and technical support  
3 for task force activities.

4       Sec. 531.959. RULEMAKING ASSISTANCE. The department shall  
5 seek the assistance of the task force if the department proposes to  
6 adopt or amend a rule as the result of the work done by the task  
7 force.

8       Sec. 531.960. APPLICABILITY OF ADVISORY COMMITTEE LAW.  
9 Chapter 2110 does not apply to the task force.

10       Sec. 531.961. ABOLITION OF TASK FORCE; EXPIRATION OF  
11 SUBCHAPTER. The task force is abolished and this subchapter  
12 expires September 1, 2013.

13       SECTION 2. As soon as practicable after the effective date  
14 of this Act, the appropriate persons shall appoint the members of  
15 the Task Force to Address the Relationship Between Domestic  
16 Violence and Child Abuse and Neglect created by this Act.

17       SECTION 3. This Act takes effect immediately if it receives  
18 a vote of two-thirds of all the members elected to each house, as  
19 provided by Section 39, Article III, Texas Constitution. If this  
20 Act does not receive the vote necessary for immediate effect, this  
21 Act takes effect September 1, 2011.