

1-1 By: Nelson S.B. No. 434
1-2 (In the Senate - Filed January 28, 2011; February 2, 2011,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; April 7, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 April 7, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 434 By: Nelson

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the establishment of a task force to address the
1-11 relationship between domestic violence and child abuse and neglect.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 531, Government Code, is amended by
1-14 adding Subchapter W to read as follows:

1-15 SUBCHAPTER W. TASK FORCE TO ADDRESS THE RELATIONSHIP BETWEEN
1-16 DOMESTIC VIOLENCE AND CHILD ABUSE AND NEGLECT

1-17 Sec. 531.951. DEFINITIONS. In this subchapter:

1-18 (1) "Department" means the Department of Family and
1-19 Protective Services.

1-20 (2) "Task force" means the Task Force to Address the
1-21 Relationship Between Domestic Violence and Child Abuse and Neglect.

1-22 Sec. 531.952. ESTABLISHMENT OF TASK FORCE; COMPOSITION.

1-23 (a) The task force is established to examine the relationship
1-24 between family violence and child abuse and neglect, develop policy
1-25 recommendations, if needed, to address issues and effects resulting
1-26 from that relationship, and develop comprehensive statewide best
1-27 practices guidelines for both child protective services and family
1-28 violence shelter centers.

1-29 (b) The task force is composed of:

1-30 (1) one member from the commission's Family Violence
1-31 Program, appointed by the executive commissioner; and

1-32 (2) at least 17 members appointed by the presiding
1-33 officer of the task force as follows:

1-34 (A) one member from the department;

1-35 (B) one member from a statewide family violence
1-36 advocacy organization;

1-37 (C) one member from a statewide sexual assault
1-38 advocacy organization;

1-39 (D) one member from a statewide advocacy
1-40 organization that serves abused and neglected children in the
1-41 foster care system;

1-42 (E) one member from a statewide child abuse
1-43 advocacy organization;

1-44 (F) one member from a statewide organization with
1-45 expertise in the establishment and operation of a children's
1-46 advocacy center program;

1-47 (G) one member who is a mental health
1-48 professional with experience working with clients affected by child
1-49 abuse and domestic violence;

1-50 (H) one member who is a judge with experience
1-51 working with cases involving child protective services;

1-52 (I) one member from The University of Texas
1-53 School of Law domestic violence clinic;

1-54 (J) one member from The University of Texas
1-55 School of Law children's rights clinic;

1-56 (K) one member from each of four different family
1-57 violence centers as defined by Section 51.002, Human Resources
1-58 Code, reflecting the geographic diversity of the state;

1-59 (L) one member from a legal assistance
1-60 organization involved with child protection and family violence
1-61 issues;

1-62 (M) one member from the law enforcement
1-63 community;

2-1 (N) one member who is a licensed physician who
 2-2 specializes in child abuse pediatrics; and

2-3 (O) any other member that the presiding officer
 2-4 determines to be appropriate.

2-5 Sec. 531.953. VACANCY. A vacancy on the task force shall be
 2-6 filled in the same manner as the original appointment.

2-7 Sec. 531.954. PRESIDING OFFICER. The member representing
 2-8 the commission's Family Violence Program serves as the presiding
 2-9 officer of the task force.

2-10 Sec. 531.955. MEETINGS. The task force shall meet at the
 2-11 call of the presiding officer.

2-12 Sec. 531.956. COMPENSATION; REIMBURSEMENT. Members of the
 2-13 task force serve without compensation or reimbursement for
 2-14 expenses.

2-15 Sec. 531.957. DUTIES. (a) The task force shall:

2-16 (1) receive reports and testimony from individuals,
 2-17 state and local agencies, community-based organizations, and other
 2-18 public and private organizations, including:

2-19 (A) adult survivors of family violence that have
 2-20 been impacted by child protective services investigations; and

2-21 (B) young adults who as children were impacted by
 2-22 both family violence and child protective services intervention;
 2-23 and

2-24 (2) develop policy recommendations for addressing the
 2-25 relationship between family violence and child abuse and neglect
 2-26 and develop comprehensive statewide best practices guidelines for
 2-27 both child protective services and family violence shelter centers.

2-28 (b) In developing policy recommendations and best practices
 2-29 guidelines under Subsection (a)(2), the task force shall:

2-30 (1) examine the findings and recommendations of the
 2-31 National Council of Juvenile and Family Court Judges Family
 2-32 Violence Department's report "Effective Intervention in Domestic
 2-33 Violence & Child Maltreatment Cases: Guidelines for Policy and
 2-34 Practice"; and

2-35 (2) examine the key concepts regarding child safety
 2-36 plans and decision making found in the 2009 edition of the American
 2-37 Bar Association's "Child Safety: A Guide for Judges and Attorneys."

2-38 (c) The task force shall prepare a report that includes:

2-39 (1) a description of the activities of the task force;

2-40 (2) the findings and recommendations of the task
 2-41 force, including the proposed policy recommendations and
 2-42 guidelines required by Subsection (a)(2); and

2-43 (3) any legislation or other matter that the task
 2-44 force considers appropriate.

2-45 (d) Not later than September 1, 2012, the task force shall
 2-46 submit to the governor, the lieutenant governor, the speaker of the
 2-47 house of representatives, and the appropriate committees of the
 2-48 senate and the house of representatives the report required by
 2-49 Subsection (c).

2-50 Sec. 531.958. ADMINISTRATIVE SUPPORT. The commission shall
 2-51 provide reasonably necessary administrative and technical support
 2-52 for task force activities.

2-53 Sec. 531.959. RULEMAKING ASSISTANCE. The department shall
 2-54 seek the assistance of the task force if the department proposes to
 2-55 adopt or amend a rule as the result of the work done by the task
 2-56 force.

2-57 Sec. 531.960. APPLICABILITY OF ADVISORY COMMITTEE LAW.
 2-58 Chapter 2110 does not apply to the task force.

2-59 Sec. 531.961. ABOLITION OF TASK FORCE; EXPIRATION OF
 2-60 SUBCHAPTER. The task force is abolished and this subchapter
 2-61 expires September 1, 2013.

2-62 SECTION 2. As soon as practicable after the effective date
 2-63 of this Act, the appropriate persons shall appoint the members of
 2-64 the Task Force to Address the Relationship Between Domestic
 2-65 Violence and Child Abuse and Neglect created by this Act.

2-66 SECTION 3. This Act takes effect immediately if it receives
 2-67 a vote of two-thirds of all the members elected to each house, as
 2-68 provided by Section 39, Article III, Texas Constitution. If this
 2-69 Act does not receive the vote necessary for immediate effect, this

3-1 Act takes effect September 1, 2011.

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