

By: Parker, Fallon, et al.

H.B. No. 1206

A BILL TO BE ENTITLED

AN ACT

relating to the duties of a law enforcement agency regarding certain children who are reported to be missing.

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

SECTION 1. Article 63.009, Code of Criminal Procedure, is amended by adding Subsections (a-1) and (a-2) to read as follows:

(a-1) A local law enforcement agency, on receiving a report of a child missing under the circumstances described by Article 63.001(3)(D) for a period of not less than 48 hours, shall immediately make a reasonable effort to locate the child and determine the well-being of the child. On determining the location of the child, if the agency has reason to believe that the child is a victim of abuse or neglect as defined by Section 261.001, Family Code, the agency:

(1) shall notify the Department of Family and Protective Services; and

(2) may take possession of the child under Subchapter B, Chapter 262, Family Code.

(a-2) The Department of Family and Protective Services, on receiving notice under Subsection (a-1), may initiate an investigation into the allegation of abuse or neglect under Section 261.301, Family Code, and take possession of the child under Chapter 262, Family Code.

SECTION 2. The change in law made by this Act applies only

1 to the report of a missing child made to a law enforcement agency on  
2 or after the effective date of this Act. The report of a missing  
3 child made to a law enforcement agency before the effective date of  
4 this Act is governed by the law in effect when the report was made,  
5 and the former law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2013.