

AN ACT

relating to studying the causes of and making recommendations for reducing child fatalities, including fatalities from the abuse and neglect of children.

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

SECTION 1. Subsections (b) and (c), Section 264.502, Family Code, are amended to read as follows:

(b) The members of the committee who serve under Subsections (a)(1) through (3) shall select the following additional committee members:

(1) a criminal prosecutor involved in prosecuting crimes against children;

(2) a sheriff;

(3) a justice of the peace;

(4) a medical examiner;

(5) a police chief;

(6) a pediatrician experienced in diagnosing and treating child abuse and neglect;

(7) a child educator;

(8) a child mental health provider;

(9) a public health professional;

(10) a child protective services specialist;

(11) a sudden infant death syndrome family service provider;

- 1 (12) a neonatologist;
- 2 (13) a child advocate;
- 3 (14) a chief juvenile probation officer;
- 4 (15) a child abuse prevention specialist;
- 5 (16) a representative of the Department of Public
- 6 Safety; ~~and~~
- 7 (17) a representative of the Texas Department of
- 8 Transportation;
- 9 (18) an emergency medical services provider; and
- 10 (19) a provider of services to, or an advocate for,
- 11 victims of family violence.

12 (c) Members of the committee selected under Subsection (b)

13 serve three-year terms with the terms of ~~[five or]~~ six or seven

14 members, as appropriate, expiring February 1 each year.

15 SECTION 2. Subsection (f), Section 264.503, Family Code, is

16 amended to read as follows:

17 (f) ~~[The committee shall issue a report for each preventable~~

18 ~~child death. The report must include findings related to the~~

19 ~~child's death, recommendations on how to prevent similar deaths,~~

20 ~~and details surrounding the department's involvement with the child~~

21 ~~prior to the child's death.]~~ Not later than April 1 of each

22 even-numbered year, the committee shall publish a report that

23 contains aggregate child fatality data collected by local child

24 fatality review teams, recommendations to prevent child fatalities

25 and injuries, and recommendations to the department on child

26 protective services operations based on input from the child safety

27 review subcommittee. The committee shall ~~[compilation of the~~

1 ~~reports published under this subsection during the year,~~ submit a
2 copy of the report [~~compilation~~] to the governor, lieutenant
3 governor, speaker of the house of representatives, Department of
4 State Health Services, and department~~[,]~~ and make the report
5 [~~compilation~~] available to the public. Not later than October 1 of
6 each even-numbered year, the department shall submit a written
7 response to [on] the committee's recommendations [~~compilation from~~
8 ~~the previous year~~] to the committee, governor, lieutenant governor,
9 [~~and~~] speaker of the house of representatives, and Department of
10 State Health Services describing which of the committee's
11 recommendations regarding the operation of the child protective
12 services system the department will implement and the methods of
13 implementation.

14 SECTION 3. (a) The Protect Our Kids Commission is composed
15 of six members appointed by the governor, one of whom shall be
16 designated as presiding officer, three members appointed by the
17 lieutenant governor, three members appointed by the speaker of the
18 house of representatives, one member with experience in behavioral
19 health and substance abuse appointed by the commissioner of the
20 Department of State Health Services, one member who represents the
21 Department of Family and Protective Services appointed by the
22 commissioner of the department, and one member who represents the
23 Office of Title V and Family Health of the Department of State
24 Health Services appointed by the office director.

25 (b) Each member appointed to the commission must have
26 experience relating to the study of the relationship between child
27 protective services and child welfare services and child abuse and

1 neglect fatalities.

2 (c) In making appointments to the commission, each
3 appointing authority shall make every effort to select individuals
4 whose expertise is not already represented by other members of the
5 commission and who reflect the geographical, cultural, racial, and
6 ethnic diversity of the state.

7 (d) Members of the commission serve without compensation
8 and are not entitled to reimbursement for expenses.

9 (e) The commission shall study the relationship between
10 child protective services and child welfare services and the rate
11 of child abuse and neglect fatalities.

12 (f) The commission shall:

13 (1) identify promising practices and evidence-based
14 strategies to address and reduce fatalities from child abuse and
15 neglect;

16 (2) develop recommendations and identify resources
17 necessary to reduce fatalities from child abuse and neglect for
18 implementation by state and local agencies and private sector and
19 nonprofit organizations, including recommendations to implement a
20 comprehensive statewide strategy for reducing those fatalities;
21 and

22 (3) develop guidelines for the types of information
23 that should be tracked to improve interventions to prevent
24 fatalities from child abuse and neglect.

25 (g) The commission may accept gifts and grants of money,
26 property, and services from any source to be used to conduct a
27 function of the commission.

1 (h) Not later than December 1, 2015, the commission shall
2 submit to the governor, lieutenant governor, and speaker of the
3 house of representatives a report containing:

4 (1) the commission's findings and a complete
5 explanation of each of the commission's recommendations;

6 (2) proposed legislation necessary to implement the
7 recommendations made in the report; and

8 (3) any administrative recommendations proposed by
9 the commission.

10 (i) The commission is not subject to Chapter 2110,
11 Government Code.

12 (j) The Protect Our Kids Commission is abolished and this
13 section expires December 31, 2015.

14 SECTION 4. The members of the child fatality review team
15 committee under Subsection (a), Section 264.502, Family Code,
16 responsible for selecting the additional members of the committee
17 required by Subsection (b), Section 264.502, Family Code, as
18 amended by this Act, shall make those appointments not later than
19 November 1, 2013.

20 SECTION 5. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 66 passed the Senate on March 13, 2013, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 23, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 66 passed the House, with amendment, on May 20, 2013, by the following vote: Yeas 147, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor