

By: Huffman, Bettencourt

S.B. No. 1943

A BILL TO BE ENTITLED

AN ACT

relating to the duty to report child abuse or neglect.

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

SECTION 1. Sections 261.101(a), (b), and (b-1), Family Code, are amended to read as follows:

(a) A person who receives any information [~~having cause to believe~~] that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.

(b) If a professional receives any information [~~has cause to believe~~] that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional receives any information [~~has cause to believe~~] that the child has been abused as defined by Section 261.001 or 261.401, the professional shall make a report not later than the 48th hour after the hour the professional first receives the information [~~suspects~~] that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is

1 required, has direct contact with children. The term includes
2 teachers, nurses, doctors, day-care employees, employees of a
3 clinic or health care facility that provides reproductive services,
4 juvenile probation officers, and juvenile detention or
5 correctional officers.

6 (b-1) In addition to the duty to make a report under
7 Subsection (a) or (b), a person or professional shall make a report
8 in the manner required by Subsection (a) or (b), as applicable, if
9 the person or professional receives any information [~~has cause to~~
10 ~~believe~~] that an adult was a victim of abuse or neglect as a child
11 and the person or professional determines in good faith that
12 disclosure of the information is necessary to protect the health
13 and safety of:

14 (1) another child; or

15 (2) an elderly or disabled person as defined by
16 Section 48.002, Human Resources Code.

17 SECTION 2. This Act takes effect September 1, 2015.