2019S0223-1 02/15/19

By:  Menéndez S.B. No. 1544

A BILL TO BE ENTITLED

AN ACT

relating to administrative review of investigations of reports of child abuse or neglect.

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

SECTION 1.  Section 261.309, Family Code, is amended by adding Subsection (c-1) to read as follows:

(c-1)  Not later than the 15th day after the date the department completes the investigation, the investigator, an employee of the department providing family-based safety services, or, if neither the investigator nor an employee providing family-based safety services is available, any employee of the department shall attempt to provide oral, in-person notice to the person who is alleged to have abused or neglected a child that the person has a right to request an administrative review under Subsection (c). The department shall document the notice or attempted notice in the investigation report described by Section 261.308.

SECTION 2.  The Department of Family and Protective Services shall adopt rules necessary to implement Section 261.309(c-1), Family Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3.  Section 261.309(c-1), Family Code, as added by this Act, applies only to an investigation completed on or after the effective date of this Act. An investigation completed before the effective date of this Act is governed by the law in effect on the date the investigation was completed, and the former law is continued in effect for that purpose.

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.