

## **BILL ANALYSIS**

Senate Research Center  
88R1366 SCP-D

S.B. 187  
By: Miles  
Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 187 amends the Penal Code by adding Section 38.172 (Failure to Report Assault, Neglect, or Omission of Care in Certain Group Homes). This section creates a state jail felony offense for people who know that a resident of a group home who is not living in an assisted living facility is being abused or neglected and fails to report that abuse to the Department of Family and Protective Services.

S.B. 187 seeks to help protect residents in boarding homes by requiring the people who know about abuse to report it.

As proposed, S.B. 187 amends current law relating to failure to report assault, neglect, or omission of care in certain group homes and creates a criminal offense.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 38, Penal Code, by adding Section 38.172, as follows:

Sec. 38.172. FAILURE TO REPORT ASSAULT, NEGLECT, OR OMISSION OF CARE IN CERTAIN GROUP HOMES. (a) Defines "group home."

(b) Provides that a person commits an offense if the person:

(1) has reasonable cause to believe that a resident of a group home has suffered bodily injury due to assault, neglect, or an omission in care; and

(2) fails to report that fact to law enforcement or the Department of Family and Protective Services.

(c) Provides that an offense under this section is a state jail felony.

(d) Authorizes the actor, if conduct constituting an offense under this section also constitutes an offense under any other law, to be prosecuted under this section, the other law, or both.

SECTION 2. Effective date: September 1, 2023.