

By: Reynolds

H.B. No. 1220

A BILL TO BE ENTITLED

AN ACT

relating to failure to report assault, neglect, or omission of care in certain group homes; creating a criminal offense.

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

SECTION 1. Chapter 38, Penal Code, is amended by adding Section 38.172 to read as follows:

Sec. 38.172. FAILURE TO REPORT ASSAULT, NEGLECT, OR OMISSION OF CARE IN CERTAIN GROUP HOMES. (a) For purposes of this section, "group home" means an establishment that provides, in one or more buildings, lodging to three or more residents who are unrelated by blood or marriage to the owner of the establishment and that provides those residents with community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services, or assistance with self-administration of medication but does not provide them with personal care services as defined by Section 247.002, Health and Safety Code. The term does not include an establishment described by Section 260.002, Health and Safety Code.

(b) 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.

1 (c) An offense under this section is a state jail felony.

2 (d) If conduct constituting an offense under this section
3 also constitutes an offense under any other law, the actor may be
4 prosecuted under this section, the other law, or both.

5 SECTION 2. This Act takes effect September 1, 2023.