

By: Menéndez

S.B. No. 2079

A BILL TO BE ENTITLED

AN ACT

1
2 relating to peace officer reporting of suspected abuse, neglect, or
3 exploitation of an elderly person or a person with a disability to
4 the adult protective services division of the Department of Family
5 and Protective Services.

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

7 SECTION 1. Chapter 2, Code of Criminal Procedure, is
8 amended by adding Article 2.274 to read as follows:

9 Art. 2.274. PEACE OFFICER REPORTING OF SUSPECTED ABUSE,
10 NEGLECT, OR EXPLOITATION OF AN ELDERLY PERSON OR A PERSON WITH A
11 DISABILITY. (a) In this article, "abuse," "elderly person,"
12 "exploitation," "neglect," and "person with a disability" have the
13 meanings assigned by Section 48.002, Human Resources Code.

14 (b) Except as provided by Subsection (d), on receipt of
15 information indicating that an elderly person or a person with a
16 disability has been the victim of abuse, neglect, or exploitation,
17 a peace officer shall immediately report the suspected abuse,
18 neglect, or exploitation to the adult protective services division
19 of the Department of Family and Protective Services.

20 (c) A report made under Subsection (b) shall include, if
21 known by the peace officer, information required under Section
22 48.051(d), Human Resources Code.

23 (d) A peace officer is not required to report under
24 Subsection (b) if the information indicating the abuse, neglect, or

1 exploitation was provided to the peace officer by an employee of the
2 adult protective services division of the Department of Family and
3 Protective Services.

4 (e) A report made under this article satisfies the
5 requirement imposed under Section 48.051, Human Resources Code,
6 that a person report suspected abuse, neglect, or exploitation of
7 certain individuals to the Department of Family and Protective
8 Services.

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