

BILL ANALYSIS

S.B. 127
By: Hall
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State law requires a person, including certain licensed or certified professionals or employees of certain facilities, who has reasonable cause to believe that a child is being abused or neglected to make a report and sets out criminal offenses for the failure to do so. The bill sponsor has informed the committee that in many cases of ongoing abuse, this requirement is not followed and the abuse is not discovered until several years after it takes place, after which it becomes too late to prosecute the offense under the current statute of limitations. S.B. 127 seeks to aid the prosecution of certain professionals who fail to report child abuse or neglect by extending the statute of limitations period for presenting an indictment or information for the failure to report such abuse or neglect.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 127 amends the Code of Criminal Procedure to extend the statute of limitations period for the failure of an applicable professional to report child abuse or neglect as follows:

- for a state jail felony, from within three years from the date of the commission of the offense, as provided generally for felonies, to within four years from the date the offense was discovered; and
- for a Class A misdemeanor, from within two years of the date of the commission of the offense, as provided generally for misdemeanors, to within three years from the date the offense was discovered.

S.B. 127 does not apply to the prosecution of such offenses if the prosecution of that offense becomes barred by limitation before the bill's effective date. The prosecution of that offense remains barred as if the bill's provisions had not taken effect.

EFFECTIVE DATE

September 1, 2025.