

BILL ANALYSIS

Senate Research Center
89R4297 AMF-D

S.B. 1588
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In recent years, numerous cases have surfaced where victims endured abuse as a child, while others were aware but failed to report it. By staying silent, these individuals not only failed to protect the victim but also allowed the perpetrator to escape accountability and justice.

S.B. 1588 aims to prevent this by holding those with knowledge of abuse accountable and strengthening protections for victims.

As proposed, S.B. 1588 amends current law relating to the failure to report child abuse or neglect and increases a criminal penalty.

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 Section 261.109(c), Family Code, as follows:

(c) Provides that an offense under Subsection (a-1) (relating to providing that a person who is a professional commits an offense if the person fails to make a certain report) is a Class A misdemeanor, except that the offense is a state jail felony if it is shown on the trial of the offense that certain events occurred, including that the conduct the actor failed to report constitutes certain offenses; is compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01 (Definitions), Penal Code; is causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21 (Definitions), Penal Code, or pornographic; or is causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Section 43.25 (Sexual Performance by a Child), Penal Code. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.