AN ACT

relating to the investigation of certain reports of child abuse or neglect.

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

SECTION 1. Section 261.301, Family Code, is amended by amending Subsection (f) and adding Subsection (h) to read as follows:

(f) An investigation of a report to the department that is assigned the highest priority in accordance with department rules adopted under Subsection (d) and that alleges an immediate risk of serious physical or sexual abuse of a child that could result in the death of or serious harm to the child shall be conducted jointly by a peace officer, as defined by Article 2.12, Code of Criminal Procedure, [an investigator] from the appropriate local law enforcement agency and the department or the agency responsible for conducting an investigation under Subchapter E.

(h) The department and the appropriate local law enforcement agency shall conduct an investigation, other than an investigation under Subchapter E, as provided by this section and Article 2.27, Code of Criminal Procedure, if the investigation is of a report of child abuse or neglect that is assigned the highest priority in accordance with department rules adopted under Subsection (d) and that alleges an immediate risk of physical or sexual abuse of a child that could result in the death of or serious
harm to the child. Immediately on receipt of a report described by this subsection, the department shall notify the appropriate local law enforcement agency of the report.

SECTION 2. Article 2.27, Code of Criminal Procedure, is amended to read as follows:

Art. 2.27. INVESTIGATION OF CERTAIN REPORTS ALLEGING CHILD ABUSE. On receipt of a report that is assigned the highest priority in accordance with rules adopted by the Department of Protective and Regulatory Services under Section 261.301(d), Family Code, and that alleges an immediate risk of [alleging serious] physical or sexual abuse of a child that could result in the death of or serious harm to the child by a person responsible for the care, custody, or welfare of the child, a peace officer [an investigator] from the appropriate local law enforcement agency shall investigate the report jointly with the department [Department of Protective and Regulatory Services] or with the agency responsible for conducting an investigation under Subchapter E, Chapter 261, Family Code. As soon as possible after being notified by the department of the report, but not later than 24 hours after being notified, the peace officer shall accompany the department investigator in initially responding to the report.

SECTION 3. This Act takes effect September 1, 2003, and applies only to the investigation of a report of child abuse or neglect made on or after that date. The investigation of a report of child abuse or neglect made before the effective date of this Act is governed by the law in effect on the date the report was made, and the former law is continued in effect for that purpose.
I hereby certify that S.B. No. 669 passed the Senate on April 25, 2003, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 29, 2003, by a viva-voce vote.

I hereby certify that S.B. No. 669 passed the House, with amendment, on May 25, 2003, by the following vote: Yeas 117, Nays 0, two present not voting.

Approved:

20 Jun '03

Date

Rick Perry
Governor