

## **BILL ANALYSIS**

Senate Research Center  
78R12110 JMM-F

C.S.S.B. 1132  
By: Williams  
Health & Human Services  
5/18/2003  
Committee Report (Substituted)

### **DIGEST AND PURPOSE**

With the exception of a pilot program in Harris County, current law does not allow courts to accept videoconference testimony from certain professionals in proceedings regarding alleged abuse or neglect of a child. C.S.S.B. 1132 amends Chapter 104 of the Family Code to permit courts to accept videoconference testimony from professionals whose testimony could be important in cases of alleged abuse or neglect of a child.

### **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 Chapter 104, Family Code, by adding Section 104.007, as follows:

Sec. 104.007. VIDEO TESTIMONY OF CERTAIN PROFESSIONALS. (a) Defines “professional” for the purposes of this section.

(b) Authorizes the court to order, with the agreement of the state’s counsel and the defendant’s counsel, that the testimony of a professional be taken outside the courtroom by videoconference, in a proceeding brought by the Department of Protective and Regulatory Services concerning a child who is alleged to have been abused or neglected.

(c) Requires that the court ensure that the videoconference testimony meets certain requirements.

(d) Prohibits that a professional be compelled to be physically present in the court during a proceeding to provide the same testimony as provided by videoconference, if the court permits such testimony to be admitted during the same proceeding, unless ordered by the court.

SECTION 2. (a) Effective date: September 1, 2003.

(b) Provides that the change in law made by this Act applies to testimony taken on or after the effective date in a proceeding affecting the parent-child relationship involving an allegation of abuse or neglect of a child, regardless of whether:

- (1) the allegation was made before, on, or after the effective date, or
- (2) the suit commenced before, on, or after the effective date.

