

BILL ANALYSIS

Senate Research Center

S.B. 1063
By: Perry
Health & Human Services
6/15/2017
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Family Code currently allows home visits in investigations only if necessary. Section 261.302(a), Family Code, allows Child Protective Services (CPS) to visit a child's home as part of an investigation unless they can confirm or clearly rule out the alleged abuse or neglect without visiting the child's home.

However, because anonymous reports are covered in a different section of the code, CPS has interpreted it to mean that if they receive an allegation from an unidentified source, they can visit the home of the accused family even if they know there is no merit to the allegation.

S.B. 1063 copies the protective language included in Section 261.302(a), Family Code, to Section 261.304(b), Family Code, which deals with investigations of anonymous reports.

S.B. 1063 amends current law relating to the investigation of an anonymous report of suspected 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 Section 261.304(b), Family Code, to authorize an investigation to include a visit to the child's home, unless the alleged abuse or neglect can be confirmed or clearly ruled out without a home visit, an interview with and examination of the child, and an interview with the child's parents, rather than authorize an investigation to include a visit to the child's home and an interview with and examination of the child and an interview with the child's parents.

SECTION 2. Effective date: September 1, 2017.