(2) specify the vaccines a facility employee is required to receive based on the level of risk the employee presents to children by the employee's routine and direct exposure to children;

(3) include procedures for verifying whether a facility employee has complied with the policy;

(4) include procedures for a facility employee to be exempt from the required vaccines for the medical conditions identified as contraindications or precautions by the Centers for Disease Control and Prevention;

(5) for a facility employee who is exempt from the required vaccines, include procedures the employee must follow to protect children in the facility's care from exposure to disease, such as the use of protective medical equipment, including gloves and masks, based on the level of risk the employee presents to children by the employee's routine and direct exposure to children;

(6) prohibit discrimination or retaliatory action against a facility employee who is exempt from the required vaccines for the medical conditions identified as contraindications or precautions by the Centers for Disease Control and Prevention, except that required use of protective medical equipment, including gloves and masks, may not be considered retaliatory action for purposes of this subdivision;

(7) require the child-care facility to maintain a written or electronic record of each facility employee’s compliance with or exemption from the policy; and

(8) state the disciplinary actions the child-care facility is authorized to take against a facility employee who fails to comply with the policy.

(d) The policy shall include procedures for a facility employee to be exempt from the required vaccines based on reasons of conscience, including a religious belief.

(e) The executive commissioner shall adopt rules necessary to implement this section.

SECTION 2. Not later than June 1, 2014, the executive commissioner of the Health and Human Services Commission shall adopt the rules necessary to implement Section 42.04305, Human Resources Code, as added by this Act.

SECTION 3. Notwithstanding Section 42.04305, Human Resources Code, as added by this Act, a child-care facility subject to that section is not required to have a policy on vaccine-preventable diseases in effect until September 1, 2014.

SECTION 4. This Act takes effect September 1, 2013.

Passed the Senate on March 13, 2013: Yeas 31, Nays 0; the Senate concurred in House amendment on May 25, 2013: Yeas 30, Nays 0; passed the House, with amendment, on May 15, 2013: Yeas 113, Nays 32, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1145

S.B. No. 66

AN ACT
relating to studying the causes of and making recommendations for reducing child fatalities, including fatalities from the abuse and neglect of children.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsections (b) and (c), Section 264.502, Family Code, are amended to read as follows:

(b) The members of the committee who serve under Subsections (a)(1) through (3) shall select the following additional committee members:

(1) a criminal prosecutor involved in prosecuting crimes against children;
(2) a sheriff;
(3) a justice of the peace;
(4) a medical examiner;
(5) a police chief;
(6) a pediatrician experienced in diagnosing and treating child abuse and neglect;
(7) a child educator;
(8) a child mental health provider;
(9) a public health professional;
(10) a child protective services specialist;
(11) a sudden infant death syndrome family service provider;
(12) a neonatologist;
(13) a child advocate;
(14) a chief juvenile probation officer;
(15) a child abuse prevention specialist;
(16) a representative of the Department of Public Safety; and
(17) a representative of the Texas Department of Transportation;
(18) an emergency medical services provider; and
(19) a provider of services to, or an advocate for, victims of family violence.

(c) Members of the committee selected under Subsection (b) serve three-year terms with
the terms of five or six members, as appropriate, expiring February 1 each year.

SECTION 2. Subsection (f), Section 264.503, Family Code, is amended to read as follows:

(f) The committee shall issue a report for each preventable child death. The report must
include findings related to the child's death, recommendations on how to prevent similar
deaths, and details surrounding the department's involvement with the child prior to the
child's death. Not later than April 1 of each even-numbered year, the committee shall publish
a report that contains aggregate child fatality data collected by local child fatality review
teams, recommendations to prevent child fatalities and injuries, and recommendations to
the department on child protective services operations based on input from the child safety
review subcommittee. The committee shall submit a copy of the report to the governor,
lieutenant governor, speaker of the house of representatives, Department of State Health
Services, and department, and make the report available to the public. Not
later than October 1 of each even-numbered year, the department shall submit a written
response to the committee, governor, lieutenant governor, speaker of the house of representatives,
and Department of State Health Services describing which of the committee's recommenda-
tions regarding the operation of the child protective services system the department will
implement and the methods of implementation.

SECTION 3. (a) The Protect Our Kids Commission is composed of six members appoint-
ed by the governor, one of whom shall be designated as presiding officer, three members
appointed by the lieutenant governor, three members appointed by the speaker of the house
of representatives, one member with experience in behavioral health and substance abuse
appointed by the commissioner of the Department of State Health Services, one member who
represents the Department of Family and Protective Services appointed by the commissioner
of the department, and one member who represents the Office of Title V and Family Health
of the Department of State Health Services appointed by the office director.

(b) Each member appointed to the commission must have experience relating to the study
of the relationship between child protective services and child welfare services and child
abuse and neglect fatalities.

(c) In making appointments to the commission, each appointing authority shall make every
effort to select individuals whose expertise is not already represented by other members of
the commission and who reflect the geographical, cultural, racial, and ethnic diversity of the
state.

(d) Members of the commission serve without compensation and are not entitled to
reimbursement for expenses.

(e) The commission shall study the relationship between child protective services and child
welfare services and the rate of child abuse and neglect fatalities.

(f) The commission shall:

(1) identify promising practices and evidence-based strategies to address and reduce
fatalities from child abuse and neglect;

(2) develop recommendations and identify resources necessary to reduce fatalities from
child abuse and neglect for implementation by state and local agencies and private sector
and nonprofit organizations, including recommendations to implement a comprehensive
statewide strategy for reducing those fatalities; and

(3) develop guidelines for the types of information that should be tracked to improve
interventions to prevent fatalities from child abuse and neglect.

(g) The commission may accept gifts and grants of money, property, and services from any
source to be used to conduct a function of the commission.

(h) Not later than December 1, 2015, the commission shall submit to the governor,
lieutenant governor, and speaker of the house of representatives a report containing:

(1) the commission's findings and a complete explanation of each of the commission's
recommendations;

(2) proposed legislation necessary to implement the recommendations made in the
report; and

(3) any administrative recommendations proposed by the commission.

(i) The commission is not subject to Chapter 2110, Government Code.

(j) The Protect Our Kids Commission is abolished and this section expires December 31,
2015.

SECTION 4. The members of the child fatality review team committee under Subsection
(a), Section 264.502, Family Code, responsible for selecting the additional members of the
committee required by Subsection (b), Section 264.502, Family Code, as amended by this Act,
shall make those appointments not later than November 1, 2013.

SECTION 5. This Act takes effect September 1, 2013.

Passed the Senate on March 13, 2013: Yeas 31, Nays 0; the Senate concurred in House
amendment on May 23, 2013: Yeas 31, Nays 0; passed the House, with amend-
ment, on May 20, 2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective September 1, 2013.

CHAPTER 1146

S.B. No. 107

AN ACT

relating to the disclosure by a court of criminal history record information that is the subject of an order
of nondisclosure.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 411.081, Government Code, is amended by amending Subsections (a)
and (d) and adding Subsections (f-1) and (g-3) to read as follows:

(a) This subchapter does not apply to criminal history record information that is contained in: