

BILL ANALYSIS

Senate Research Center

S.B. 61
By: Zaffirini
Health and Human Services
1-27-97
As Filed

DIGEST

Currently, under Chapter 48 of the Human Resources Code, the failure to report abuse or neglect for employees of the Department of Mental Health and Mental Retardation is a Class B misdemeanor while failure to report under the Human Resources Code for nursing home employees is a Class A misdemeanor. S.B. 61 increases the offense for failure to report abuse of persons who are elderly or disabled from a Class B misdemeanor to a Class A misdemeanor offense to make the penalties consistent.

PURPOSE

As proposed, S.B. 61 raises the penalty for failure to report abuse of persons who are elderly or disabled.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 48.0361(a), Human Resources Code, to provide that a person commits a Class A, rather than a Class B, misdemeanor offense if the person has cause to believe that an elderly or disabled person has been or is being abused, exploited, or neglected and knowingly fails to report in accordance with Section 48.036 or Subchapter E, Human Resources Code.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.