

BILL ANALYSIS

Senate Research Center
76R2235 GWK-D

S.B. 80
By: Carona
Criminal Justice
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As Filed

DIGEST

Currently, there is no law that requires members of the general public to report offenses against children. There are a number of states that have statutes imposing duty to report crimes, often called "Good Samaritan" laws, which are designed to protect people who come to the aid of accident victims from being sued for any damages they may cause. S.B. 80 would establish that a person commits an offense if the person fails to report knowledge of certain offenses committed against children.

PURPOSE

As proposed, S.B. 80 establishes provisions regarding the creation of the offense of failing to report certain offenses committed against children.

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 Chapter 38, Penal Code, by adding Section 38.17, as follows:

Sec. 38.17. FAILURE TO REPORT OFFENSE AGAINST CHILD. Establishes that a person commits an offense if the person is present during the commission of an offense, or knows that an offense is being committed, and fails to report it to a law enforcement agency or peace officer as soon as reasonably possible. Provides that it is an exception that the actor could not report the offense without placing the actor, the victim, or anyone other than the person committing the offense at risk of bodily injury. Provides that an offense under this section is a Class B misdemeanor.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.