

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1457
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Health & Human Services
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Child abuse and neglect kills more than three children every day in America. Nearly 85 percent of the child victims are under the age of six and nearly half of them are less than one year old. In Texas, a child is abused or neglected every 11 minutes, and the number of children in foster care due to child abuse in the home increased 30 percent between 2001 and 2005. Reports of child abuse are increasing very rapidly, and the child protection system lacks the capacity to provide adequate and timely investigation of so many reports.

Children who have been the victims of abuse experience problems in school and are at risk of developing certain health problems or adopting certain unhealthy behaviors. About 22 percent of victims suffer from learning disorders which causes them to be placed in special education.

Abuse that occurs during infancy or early childhood can cause important regions of the brain to develop improperly, leading to long-term physical and mental problems. Twenty-five to 30 percent of infant victims develop shaken baby syndrome and die; those infants who do not die can develop visual, motor, or cognitive impairments. The investigation, care, placement, and treatment costs associated with child abuse in this state approach \$900 million per year.

C.S.S.B. 1457 creates a task force to study the issue of child abuse and neglect and child welfare, and requires the task force to create goals for state policy on the issue and submit a strategic plan to accomplish those goals.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Defines "task force."

SECTION 2. (a) Provides that the governor, lieutenant governor, and speaker of the house of representatives each appoint five members of the task force to establish a strategy for reducing child abuse and neglect and improving child welfare (task force).

(b) Requires members of the task force to be individuals who are actively involved in the fields of the prevention of child abuse and neglect and child welfare. Requires the appointment of members to reflect the geographic diversity of the state.

(c) Prohibits a member of the task force from being appointed to, or being an employee of, a state agency.

(d) Provides that a member of the task force is not entitled to compensation for service on the task force but is entitled to reimbursement for travel expenses as provided by Chapter 660 (Travel Expenses), Government Code, and the General Appropriations Act.

(e) Requires the task force to elect a presiding officer by a majority vote of its membership.

(f) Requires the task force to meet at the call of the presiding officer.

(g) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the task force.

SECTION 3. (a) Requires the task force to establish a strategy for reducing child abuse and neglect and for improving child welfare in the state of Texas. Requires the task force, in establishing the strategy, to gather certain information; review the exemptions from criminal liability provided under the Penal Code to a mother who injures her unborn child by using a controlled substance, as defined by Chapter 481 (Texas Controlled Substance Act), Health and Safety Code, other than a legally obtained prescription, during her pregnancy and examine the effects that repealing the exemption will have on reducing the number of babies who are born addicted to a controlled substance; receive reports and testimony from individuals, state and local agencies, and certain other organizations; create goals for state policy that would improve child safety, prevent child abuse and neglect and improve child welfare; and submit a strategic plan to accomplish those goals.

(b) Authorizes the strategic plan to include proposals for specific statutory changes, the creation of new programs, and methods to foster cooperation among state agencies and between the state and local government.

SECTION 4. (a) Requires the task force to consult with employees of the Department of Family and Protective Services, the Department of State Health Services, and the Texas Department of Criminal Justice as necessary to accomplish its responsibilities under this Act.

(b) Authorizes the task force to cooperate as necessary with any other appropriate state agency.

SECTION 5. (a) Requires the governor, lieutenant governor, and speaker of the house of representatives to appoint the members of the task force not later than October 1, 2007.

(b) Requires the task force to submit the strategic plan, not later than August 1, 2009, to the governor, lieutenant governor, and speaker of the house of representatives.

(c) Provides that the task force is abolished and this Act expires on September 1, 2009.

SECTION 6. Effective date: September 1, 2007.