

1-1 By: Leman, et al. H.B. No. 3379
 1-2 (Senate Sponsor - Kolkhorst, et al.)
 1-3 (In the Senate - Received from the House April 19, 2021;
 1-4 May 6, 2021, read first time and referred to Committee on Health &
 1-5 Human Services; May 22, 2021, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-7 May 22, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 3379 By: Campbell

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to the duty to report child abuse and neglect.
 1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Sections [261.101](#)(a), (b), and (b-1), Family
 1-25 Code, are amended to read as follows:
 1-26 (a) A person having reasonable cause to believe that a
 1-27 child's physical or mental health or welfare has been adversely
 1-28 affected by abuse or neglect by any person shall immediately make a
 1-29 report as provided by this subchapter.
 1-30 (b) If a professional has reasonable cause to believe that a
 1-31 child has been abused or neglected or may be abused or neglected, or
 1-32 that a child is a victim of an offense under Section [21.11](#), Penal
 1-33 Code, and the professional has reasonable cause to believe that the
 1-34 child has been abused as defined by Section [261.001](#), the
 1-35 professional shall make a report not later than the 48th hour after
 1-36 the hour the professional first has reasonable cause to believe
 1-37 [~~suspects~~] that the child has been or may be abused or neglected or
 1-38 is a victim of an offense under Section [21.11](#), Penal Code. A
 1-39 professional may not delegate to or rely on another person to make
 1-40 the report. In this subsection, "professional" means an individual
 1-41 who is licensed or certified by the state or who is an employee of a
 1-42 facility licensed, certified, or operated by the state and who, in
 1-43 the normal course of official duties or duties for which a license
 1-44 or certification is required, has direct contact with children.
 1-45 The term includes teachers, nurses, doctors, day-care employees,
 1-46 employees of a clinic or health care facility that provides
 1-47 reproductive services, juvenile probation officers, and juvenile
 1-48 detention or correctional officers.
 1-49 (b-1) In addition to the duty to make a report under
 1-50 Subsection (a) or (b), a person or professional shall make a report
 1-51 in the manner required by Subsection (a) or (b), as applicable, if
 1-52 the person or professional has reasonable cause to believe that an
 1-53 adult was a victim of abuse or neglect as a child and the person or
 1-54 professional determines in good faith that disclosure of the
 1-55 information is necessary to protect the health and safety of:
 1-56 (1) another child; or
 1-57 (2) an elderly person or person with a disability as
 1-58 defined by Section [48.002](#), Human Resources Code.
 1-59 SECTION 2. The changes in law made by this Act apply only to
 1-60 a report of suspected abuse or neglect of a child that is made on or

2-1 after the effective date of this Act. A report of suspected abuse
2-2 or neglect that is made before that date is governed by the law in
2-3 effect on the date the report was made, and that law is continued in
2-4 effect for that purpose.

2-5 SECTION 3. This Act takes effect September 1, 2021.

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