

BILL ANALYSIS

C.S.H.B. 2124
By: Minjarez
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties have expressed a need to support the development of more consistent memoranda of understanding between the U.S. Department of Defense Family Advocacy Program and state and local child welfare services to improve coordination of local child welfare and military protective rehabilitative services in support of military children and families. C.S.H.B. 2124 seeks to address this issue by requiring the Department of Family and Protective Services, in an investigation of a report of abuse or neglect allegedly committed by a person responsible for a child's care, custody, or welfare who is determined to be an active duty member of the U.S. armed forces or the spouse of such a person, to notify the U.S. Department of Defense Family Advocacy Program of the investigation.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2124 amends the Family Code to require the Department of Family and Protective Services (DFPS), in an investigation of a report of abuse or neglect allegedly committed by a person responsible for a child's care, custody, or welfare, to determine whether the person is an active duty member of the U.S. armed forces or the spouse of a member on active duty, and, if DFPS determines the person is an active duty member of the U.S. armed forces or the spouse of a member on active duty, to notify the U.S. Department of Defense Family Advocacy Program at the closest active duty military installation of the investigation.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2124 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 261.301, Family Code, is amended by adding Subsection (j) to read as follows:

(j) In an investigation of a report of abuse or neglect allegedly committed by a person responsible for a child's care, custody, or welfare, the department as soon as practicable shall make efforts to determine whether the person is a member of the United States armed forces.

If the department determines the person is a member of the United States armed forces, the department shall notify the United States Department of Defense family advocacy program of the allegation and investigation.

SECTION 2. The changes in law made by this Act to Section 261.301, Family Code, apply only to a report of abuse or neglect made on or after the effective date of this Act. A report made before that date is governed by the law in effect on the date the report was made, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2017.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 261.301, Family Code, is amended by adding Subsection (j) to read as follows:

(j) In an investigation of a report of abuse or neglect allegedly committed by a person responsible for a child's care, custody, or welfare, the department shall determine whether the person is an active duty member of the United States armed forces or the spouse of a member on active duty.

If the department determines the person is an active duty member of the United States armed forces or the spouse of a member on active duty, the department shall notify the United States Department of Defense Family Advocacy Program at the closest active duty military installation of the investigation.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.