



SUPREME COURT OF TEXAS PERMANENT JUDICIAL
COMMISSION FOR CHILDREN, YOUTH AND FAMILIES

Supreme Court Children's Commission 86th Legislative Session Report

May 31, 2019



House Bills

HB 53 (Minjarez)



Texas Family Code 264.121

- Adds to the life-skills taught to foster youth a financial literacy program developed in collaboration with the Office of the Consumer Credit Commissioner and State Securities Board.
- The program shall include instruction on: understanding credit and credit scores, banking and accounting, filing taxes, obtaining insurance, identity theft, and budgeting.
 - For youth 17 and older, the instruction shall also include information on home and auto insurance as well as civic engagement including registering to vote.

HB 72 (White)

Texas Family Code . 162.304

- An adoptive parent or permanent managing conservator of a child formerly in DFPS conservatorship who is eligible for assistance under Family Code sections 162 or 264 or who was receiving benefits under SSI, may elect to continue to receive benefits under STAR health.
- Requires an eligible child who is transferring between STAR health and another Medicaid managed care program receive continuity of care.

HB 123 (White)

Transportation Code . 521.1015, 521.1811

- Allows foster youth, homeless youth and unaccompanied youth to use a birth certificate as ID and a letter from a school district certifying the youth is homeless or unaccompanied when applying for ID.
- Allows the youths to apply for and receive ID without parent or guardian permission and exempts them from fees.
- Allows DFPS youth to use the address of the DFPS regional office of their case worker.

HB 369 (Cain)

Texas Family Code 102.008, 103.001, 155.201, 155.204, 102.008

Requires a petition to adopt to include a statement that the court in which the suit is filed either has continuing jurisdiction or jurisdiction where the child resides under Family Code Section 103.001 (VENUE FOR ORIGINAL SUIT). The CCJ court shall transfer to the court with jurisdiction under section 103.001, upon a motion showing that the suit has been filed under section 103.001 and requesting transfer.

HB 475 (Howard)

Texas Family Code 264.130

DFPS must provide to youth in DFPS conservatorship who are pregnant or parenting info on:

- Safe sleeping
- Child proofing their residence
- Coping with crying
- Appropriate substitute caregivers
- Child brain development
- Paternal involvement
- Benefits of reading to children
- Prenatal and postpartum care
- Infant nutrition
- Healthy relationships.

HB 621 (Neave)

Texas Family Code 261.110(a).

Prohibits employers from taking adverse actions against employees who make a good faith report of child abuse. Defines "adverse action" as any action that would dissuade or retaliate against an employee.

HB 811 (White)

Education Code 37.001.

Specifies that a student's status in DFPS conservatorship or homelessness must be considered as a factor in the decision for suspension, removal, expulsion, or placement of a student in an alternative education program.

HB 1374 (Hernandez)



Government Code 509.011.

Allows the awarding of grants from the Community Justice Assistance Division to create pre-trial intervention programs for defendants who are the primary caretaker of a minor child or are pregnant at the time of placement into the intervention program.

HB 1386 (Thompson, Senfronia)



Human Resources Code 114.013

Requires DFPS personnel to receive evidenced-based training regarding autism including instruction on effectively communicating with individuals with limited social or verbal abilities.

HB 1702 (Howard)

Education Code 51.9356.

Requires an institution of higher education to obtain the names of current and incoming students currently or formerly in DFPS conservatorship and provide that information to the institution's liaison officer responsible for assisting students currently or formerly in foster care. Allows the liaison to attend trainings at the institution for higher education and requires the institution to publicize the liaison's name and contact information and the available support services.

HB 1709 (Gonzalez, Mary)

Education Code 25.007, 29.0151

- School districts must notify DFPS if the school district appoints a surrogate parent to make special education decisions on behalf of the child.
- If the court appoints a surrogate parent and the school district determines the surrogate is not performing his or her duties, the school district must notify DFPS, who must in turn notify the court, who must review the appointment and make appropriate orders.

HB 1780 (Miller)

Texas Family Code .263.401.

Requires the court to consider a parent's good faith attempt to complete a drug rehab program when granting an extension of the deadline.

HB 1884 (Minjarez)

Texas Family Code .263.401.

- Requires that the information manual DFPS provides to relative or designated caregivers include information regarding the ability to become a licensed foster parent and apply for PCA.
- Requires the court to inform relatives serving as placement for a child of the ability to become a licensed foster parent and apply for PCA at the Adversary Hearing, Status Hearing, and Permanency Hearings before and after a final order.

HB 2229 (Johnson, Jarvis)



Human Resource Code 243.008

Adds specific information to the report TJJJD must submit to the Governor, Lt. Governor, and Legislature every even numbered year regarding foster children in TJJJD . Requires the report to break down the number of children in TJJJD custody by age, sex, race, conduct, and first time offenders.

HB 2363 (Harris)



Human Resource Code 42.042

Amends minimum standards for foster parents to allow firearms and ammunition to be stored together in the same locked location.

HB 2737 (Wu)



Government Code 22.0135.

Requires the Texas Supreme Court to annually provide guidance to judges who preside over CPS and juvenile cases to establish greater uniformity in issues related to placement of children with severe mental health issues, changes in placement, and termination of parental rights.

HB 2764 (Frank)



Human Service Code 42.042.

Requires DFPS to create and implement a process to simplify, streamline, and provide for greater flexibility in the application of the minimum standards to licensed child-placing agencies, agency foster homes, and adoptive homes with the goal of increasing the number of foster and adoptive homes.

HB 3390 (Sanford)

Texas Family Code §§ 107.002, 262.1041

- Adds a duty for an AAL of a child to elicit information from the child in a developmentally appropriate manner about possible relative or designated caregivers and provide that information to DFPS immediately.
- DFPS has a duty to elicit information regarding potential caregivers from the child at the investigative stage and prior to the adversary hearing.
- The court has the duty to inquire from all parties whether the child has had the opportunity to provide information regarding potential caregivers at the Adversary Hearing, Status Hearing, and Permanency Hearings before and after a final order and whether any identified protentional caregivers are listed on the proposed child placement resource form.

Senate Bills

SB 72 Nelson



Government Code 402.034

Requires the Office of the Attorney General to establish a Human Trafficking Prevention Coordinating Council. The Council includes the DFPS commissioner or a DFPS representative and must develop a five year strategic plan and submit annual reports to the legislature.

SB 195 (Perry)



Texas Family Code 162.007, 264.019

Requires DFPS and HHSC to collect information on the number of children who test positive for alcohol or controlled substances at birth, the specific controlled substances, the number children who have resulting disabilities or other chronic conditions. DFPS must prepare a report to the legislature and post copy on their website. Depends on appropriation of funds.

SB 355 (West)

Texas Family Code .265.0051

Requires DFPS to develop a strategic plan to ensure that the provision of prevention and early intervention services meets the requirements of the federal Family First Prevention Services Act and is coordinated with the implementation of community based care. The plan must identify for federal approval a network of prevention and early intervention services providers to provide mental health, substance use, and in-home parenting support services.

SB 436 (Nelson)

Health and Safety Code .34.0158.

Requires HHSC to develop and implement initiatives to improve screening, continuity of care, health care, medication assisted treatment, and prevention of neo-natal opioid disorder.

SB 560 (Kolkhorst)

Government Code 71.0355

Requires the Texas Judicial Council to develop a statewide plan to report information on attorneys appointed under chapter 107. The plan shall consider the cost to counties and the design must reduce redundant reports. Requires district and county clerks to submit to the council in accordance with the plan all formal and informal rules for appointments, the fee schedule used, the money spent on representation including private attorneys, public defenders, and litigation support.

SB 781 (Kolkhorst)

Human Resources Code 40.043-42.0462.

- Requires the DFPS Commissioner to establish by rule trauma informed protocols for reducing runaways from RTCs and balancing child safety with state and federal normalcy requirements.
- Establishes a quality contracting framework for improving the quality of services provided by RTCs by requiring DFPS to establish general enforcement policy for disciplinary actions, requiring RTCs to have community engagement plans, and for TEA to determine best practices for educational services in RTCs.
- Requires DFPS to develop a strategic plan regarding placement of children in settings that meet the requirements of the federal Family First Act.

SB 821 (Nelson)



Texas Family Code . 264.402, 264.4031, 264.408

Modifies the statutory framework governing Children's Advocacy Centers to codify how CAC's have developed over time and are currently operating.

SB 1231 (Bettencourt)



Texas Family Code . 261.105

DFPS must notify the director of an open enrollment charter school or CEO of a private school if an abuse or neglect investigation involves an employee of an open enrollment charter school or private school.

SB 1494 (Paxton)

Government Code . 552.117, 552.1175, Tax Code . 25.025.

Adds current or former CPS caseworker, elected state officer, or legislative member to the list of those who may choose to make their information unavailable to the public.

SB 1887 (Huffman)

Texas Family Code . 51.04, 51.0414, 201.204.

- Allows a judge to refer any aspect of the juvenile case to a CPC court serving in the county and exercising jurisdiction over the child under Subtitle E, Title 5, with the CPC judge's consent.
- A juvenile court may transfer the juvenile case to a court located in another county that is exercising jurisdiction over the child under Subtitle E, Title 5 with the consent of the judge of the receiving court regardless of whether that court is designated as a juvenile court.
- If the court consents to the transfer, the juvenile court shall file the transfer order and clerk of the transferring court shall transfer the files within 10 days of the order.

Questions?



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<http://texaschildrenscommission.gov>