

Child Protection Bills of the 81st Legislative Session

TexProtects Bills							
TexProtects was instrumental in initiating and/or passage and/or amending of this legislation.							
Ref. No.	Bill	Status	Summary	Author	Co-Authors	Sponsor	Co-Sponsors
1 TP Amended Bill	SB 1411 HB 2860* Similar Bill HB 2040 by Turner, S	Amended To HB 1151 and SB 2080 Effective 9/1/09	Implements the federal Fostering Connections to Success and Increasing Adoptions Act of 2008. Original bill was SB 1411. Allows for Texas to pull down federal funds, which will provide financial assistance to kinship providers and special needs adoptions. Additionally, it requires trauma-informed training for kinship / foster/ adopt parents and CPS caseworkers.	West	Uresti Zaffirini	Dukes* Coleman Turner, S	
2 TP Bill	SB 1675 HB1608*	Effective 9/1/09	Requires an explanation of what people are donating their jury service fee to when they chose to donate it. Also, allows the county to properly name the entity performing the duties of the county's child welfare board on the juror donation form.	Hinojosa		Madden*	
3 TP Bill: SB6 79(R) Amendment	SB2080	Effective 9/1/09	Creates a task force to establish a strategy for reducing child abuse and neglect and improving child welfare and health.	Uresti	Nelson Patrick	McClendon	
4 TP Bill	HB1041	Effective 6/19/09	Requires each school district to adopt and implement a policy addressing sexual abuse of children. The bill requires the policy to focus on increasing teacher, student, and parent awareness of sexual abuse warning signs, how to provide assistance and how to address intervention measures.	Parker	Shelton Chavez	West	Uresti
5 TP Bill	SB 2159	Rider passed in lieu of bill	Allows for the possible expansion of the Nurse-Family Partnership program.	Shapiro			

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Ref. No.	Bill	Status	Summary	Author	Co-Authors	Sponsor	Co-Sponsors
6 TP Amended Bill	HB2236 SB 1380 & HB 2584 (Similar)	Effective 9/1/09	Provides that child victims and victims of domestic violence have the right to have a court consider the impact that a continuance may have on them and upon request to have the court state the reason for the continuance or postponement of a trial.	Moody Hartnett Ortiz, Jr. Leibowitz		Hinojosa	
7 TP Bill	HB 3076	Effective 6/19/09	Expands the parenting and paternity awareness program used in the health curriculum for public schools to middle or junior high students and allows for an optional expanded curriculum to include parenting skills, including child abuse and neglect prevention, child development and relationship skills.	Deshotel Eissler	Ortiz, Jr.	West	
8 TP Bill	HB 3751 SB 1381*	Effective 9/1/09	Requires that there be a mandatory no contact order between the perpetrator and the child victim as a condition of the perpetrator's bond.	Gallego Moody		Shapiro*	Uresti
9 TP Bill	SB 1064	Failed to Pass Vetoed Passed both House and Senate	Provided CPS a mechanism to obtain orders in aid of investigation from a court and sets in place a uniform procedure for obtaining such orders ex parte. These orders can be obtained for various purposes that are crucial to conducting timely and thorough investigations of child abuse or neglect, including: access to a child for the purposes of an interview or examination, transport of a child for a Child Advocacy Center interview or other purpose, entry to a home, or other place, for the purposes of a visit or interview, and granting access to medical or other records.	Watson	Uresti Zaffirini	Rose Walle	

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Ref. No.	Bill	Status	Summary	Author	Co-Authors	Sponsor	Co-Sponsors
10 TP Bill	SB 1734 HB 4622 by Hartnett**	Failed to Pass Bill pulled down at hearing	Would have required DFPS to Implement a "hire ahead" program for the timely replacement of CPS caseworkers in metropolitan regions where turnover rates exceed 20%. It would have allowed the department to temporarily bust their FTE caps.	Uresti Shapiro			
11 TP Bill	HB 2584 SB 1380*	Failed to Pass Passed House Similar Measure Passed HB 2236	Provided that child victims have the right to a speedy trial and to have a court consider the impact that a continuance may have on them and upon request to have the court state the reason for the continuance or postponement of a trial.	Hartnett Moody Madden	Callegari Miller, Sid Pierson	Shapiro*	
12 TP Bill	SB 788	Failed to Pass Passed Senate	Required mandatory reporting of child abuse or neglect by a person who believes that a child "may be" adversely affected by abuse or neglect.	Nelson	Uresti		
13 TP Bill	SB 285	Failed to Pass	Enhanced the penalty for a perpetrator who violates a restraining order that is issued to keep the perpetrator from the residence of the child in removal situations.	Nelson			

Other Child Protection Bills

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1	SB 43	Effective 5/19/09	Increases the time a foster or former foster youth has to take advantage of the tuition fee waiver by allowing the youth to have until age 25 to enroll in college.	Zaffirini	Davis / Uresti Van de Putte West	Gonzalez- Tourelles* (HB 4065)	Lewis
2 TP Support	SB 67	Failed to Pass	Requires Child Placing Agencies to conduct certain criminal background checks	Nelson			

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Other Child Protection Bills (continued)

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3 TP Support	SB 69	Failed to Pass	Requires DFPS to evaluate how licensing policies and procedures can be modified to increase foster care capacity, that an exit survey be given to foster parents leaving the system, precludes changing a foster child's placement without a 5-day written notice (unless an emergency), study the concept of financial incentive to foster youth and creates a foster parent mentorship program. Initially, the bill contained provisions on a privatization pilot for case management.	Nelson	Davis Uresti	Rose Naishtat	
4	SB 89 HB 639*	Amended to HB 4009	Establishes a human trafficking prevention task force, creates a trafficking of persons investigation and prosecution account in the general revenue fund, authorizes a study of the alternatives to the juvenile justice system for children who engage in acts of prostitution, requires training of certain law enforcement offices on the trafficking of persons, alters provisions of the Penal Code regarding the offenses involving trafficking of persons and certain forced or sex-based labor or services.	Van de Putte	Corona Davis Gallegos Hinojosa West Uresti Zaffirini	Thompson*	
5 TP Support	SB 493	Amended to SB 939 Effective 6/19/09	Requires that the first permanency hearing after termination of parental rights, where DFPS is the conservator, occur with 90 days rather than the current 180 days requirement. Subsequent reviews must occur every 6 months until the child is adopted, placed in PMC with someone other than DFPS or the child becomes an adult. It also requires DFPS to have a permanency plan that includes both a primary permanency goal and an alternate permanency goal for all foster children.	Nelson	Davis Uresti	Rose* (HB 2443)	
6 TP Support	SB 572	Effective 9/1/09	Mandates training to child care providers who transport children whose chronological or developmental age is nine-years-old or younger. DFPS is to set minimum standards for this training. Standards should include the proper use of safety restraints, vehicle maintenance, proper behavior during transport, loading and unloading procedures, and safe accounting for each child and their well-being.	Shapiro	Huffman Nelson Patrick Shapleigh Uresti	Branch* (HB 1901)	

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Other Child Protection Bills (continued)

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7 TP Support	SB 703	Effective 9/1/09	Directs DFPS and DSHS to enter into an MOU so DFPS will not have to pay for verification of birth information or a certified copy of a birth certificate.	Nelson	Uresti	Rose	
8 TP Support	SB 786	Failed to Pass	In removal situations where a court is deciding to remove a perpetrator from a home rather than a child, courts must take into consideration that the parent/other adult that a child will continue to reside with will: 1) make a reasonable effort to monitor the residence; and 2) report to DFPS and the law enforcement any attempt by the alleged perpetrator to return to the residence.	Nelson	Uresti	Rose	
9	SB 939	Effective 6/19/09	Requires DFPS and TEA to enter into an MOU in which DFPS will annually provide TEA with demographics regarding children who were in the conservatorship of the state after the 14-day hearing. TEA will provide aggregate information regarding educational outcome of those children to DFPS. Creates requirements for CPS concerning permanency plans.	Watson		Hughes	
10 TP Support	SB 983	Effective 9/1/09	Requires DFPS to provide a personal identification certificate, social security card, and proof of Medicaid enrollment, as well as the other documents currently provided, to youth aging out of foster care no later than 30 days before the youth leaves care. The bill also requires DFPS to collaborate with DPS and TEA to develop a plan to ensure that each child in PMC has the opportunity to take a driver's education course and obtain a driver's license before leaving foster care.	Davis	Deuell Nelson Shapleigh Uresti West Zaffirini	Rose* (HB 705)	

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Other Child Protection Bills (continued)

Ref. No.	Bill	Status	Summary	Author	Co-Authors	Sponsor	Co-Sponsors
11 TP Support	SB 1050	Effective 9/1/09	Lays out requirements and guidelines for the disclosure of information related to child fatalities that result from abuse and neglect, upon request. Requires DFPS to disclose: age and sex of the child; date of death; whether the child was in DFPS conservatorship at the time of death; and whether the child resided with parents or guardians at the time of death. Additional information is required depending on whose care the child was in.	Uresti		McClendon	
12 TP Support	SB 1062	Failed to Pass	Requires the Office of Court Administration to contract with an entity to provide online resources for court personnel handling child abuse and neglect cases.	Shapiro	Carona	Rose	
13 TP Support	SB 1129	Failed to Pass	Adds a provider of emergency medical services and a provider of family violence services to the membership of the State Child Fatality Review Team Committee and clarifies certain data reporting requirements.	Nichols		King, Susan	
14 TP Support	SB 1332	Effective 9/1/09	Requires DFPS to consider a prior foster care home as a placement resource when a child re-enters care and a relative is not available.	Nelson	Uresti	Rose Naishtat	
15	SB 1598	Effective 6/19/09	Creates a power of attorney process whereby parents can retain legal custody by giving certain relative caregivers authorization to enroll a child in school, get medical treatment, or receive public assistance for the child.	Watson		Herrero* (HB 1940)	
16 TP Support	SB 1646	Effective 6/19/09	Creates a Council on Children and Families. The council will: coordinate the state's health, education, and human services to ensure that children and families have access to needed services, improve coordination in state agencies, advisory councils on issues affecting children, and local levels of service; prioritize and mobilize resources for children; and facilitate an integrated approach to providing services for children and youth.	Van de Putte	Zaffirini	Naishtat* (HB 3259)	Davis, John

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Other Child Protection Bills (continued)

Ref. No.	Bill	Status	Summary	Author	Co-Authors	Sponsor	Co-Sponsors
17 TP Support	SB 1723	Effective 6/19/09	Requires DFPS to make available an informational manual for “voluntary caregivers” of children involved in a CPS investigation, but not in state conservatorship.	Van de Putte		Guillen	
18 TP Support	SB 1730	Failed to Pass	Enhances the minimum training standards for employees of certain child-care facilities.	West		Naishtat	
19 TP Support	SB 1767	Failed to Pass	Requires the Permanent Judicial Commission for Children, Youth and Families to develop guidelines for courts to use in developing or creating a child-friendly environment in the court for children who are required to attend hearings as a part of a child abuse or neglect case. Amends current law relating to practices and procedures in child abuse and neglect cases.	Watson			
20	SB 1824	Effective 9/1/09	Creates an Interagency Task Force for Children with Special Needs to improve the coordination, quality and efficiency of services for children with special needs.	Lucio		Lucio III	
21 TP Support	SB 1877	Amended To SB 2080 Effective 9/1/09	Establishes a Texas Medical Child Abuse Resources and Education System (MEDCARES) grant program which will award grants to hospitals, health centers, and other entities involved in the detection, investigation, and treatment of child abuse and neglect for the purpose of improving assessment, diagnosis, and treatment.	Nelson	Deuell Shapiro Shapleigh Uresti	Zerwas Coleman McCall Parker Rose	Anchia Branch Cohen Herrero Jackson Menendez Naishtat Sheffield Solomons
22	SB 2248	Effective 6/19/09	Sets forth procedures to help children in foster care transition when they move schools.	Zaffirini		Patrick, D	

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Other Child Protection Bills (continued)

Ref. No.	Bill	Status	Summary	Author	Co-Authors	Sponsor	Co-Sponsors
23 TP Support	SB 2385	Effective 9/1/09	Requires DFPS to file certain documents at the adversary hearing and other subsequent hearings. DFPS must file: a copy of the child placement resources form; a copy of any completed home study and the name of a relative and designated caregiver, if any, with whom the child was placed. If DFPS has not placed the child with a relative or other designated caregiver by the time of the hearing, the caseworker will be required to file a statement explaining why no designated caregivers have been selected for placement.	Shapleigh		Naishtat* (HB 1068)	Madden
24 TP Support	HB 324 Companion SB 2368 by Uresti** Similar Bill HB 1565 by England	Failed to Pass	Would provide for monetary assistance for substitute care provided to a child by a relative caregiver in TMC.	Raymond			
25 TP Opposed	HB 428	Failed to Pass	Extends the limitations period for certain relatives to intervene in a SAPCR and allows a person related by the fourth degree of consanguinity, rather than only an adult sibling, grandparent, aunt, or uncle of the child, to file a suit for adoption or managing conservatorship of the child when the parent-child relationship has been terminated.	Castro			
26	HB 530	Amended to HB 4009	Requires law enforcement training on trafficking of persons.	Anchia Lucio III Alvarado Weber Menendez			
27	HB 628	Failed pass	Would have created of a trafficking victim database and established a human trafficking prevention task force. (The task force component was passed in HB 4009)	Anchia Naishtat			

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Other Child Protection Bills (continued)

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28 TP Support	HB 704	Effective 5/23/09	Gives courts the option to extend continuing jurisdiction over a foster child who ages out of care, if requested by the youth. Extended jurisdiction ends on the date the youth turns 21 or if the youth withdraws consent.	Rose		Nelson	Davis* (SB 984)
29 TP Support	HB 884	Amended to SB 939 Effective 6/19/09	Requires continued efforts by DFPS to find a more permanent plan for children in the permanent managing conservatorship of DFPS without a termination of parental rights, including placement with a relative as the child's permanent managing conservator, or, when appropriate, returning the child to a parent when the case is dismissed.	Naishtat			
30 TP Opposed	HB 948	Failed to Pass	Impacts CPS cases in all phases from removals to placement.	Dutton			
31 TP Support	HB1043	Effective 9/1/09	Requires all state agencies to give an employment preference to individuals for whom DFPS had PMC on the day preceding their 18 th birthday. This preference applies to persons age 25 or younger.	Orr Rodriguez Parker Strama Shelton	Guillen Leibowitz	Nelson	
32 TP Support	HB 1240	Effective 9/1/09	Expands the types of information required to be provided to parents of an infant to include information on selecting and interacting with a primary health care practitioner, effective parenting, child safety, the importance of reading to a child, expected developmental milestones, health care resources available in the state, selecting appropriate child care, and other resources available in the state.	Villarreal Coleman Naishtat		Uresti	
33 TP Support	HB 1315	Amended To SB 1182 Effective 9/1/09	Authorizes law enforcement to release information of alleged child abuse or neglect to a parent or guardian who is not suspected of causing the abuse or neglect or to the child is at least 18 years of age. The bill requires certain information to be redacted and protects the identity of the person who reported the abuse or neglect.	Ortiz, Jr. Darby			

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Other Child Protection Bills (continued)

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34 TP Support	HB 1462	Effective 9/1/09	Allows state agencies to give their employees paid leave for up to five hours a month to perform CASA duties.	Pickett Herrero Moody Guillen	Leibowitz	Uresti* (SB 1051)	
35 TP Support	HB1629	Effective 5/23/09	Supports current DFPS and TYC efforts to improve service delivery for CPS youth in TYC placements and in TYC parole situations. Strengthens efforts to bring coordination between the court that hears the juvenile case and the family court that has jurisdiction of the conservatorship.	Naishtat Madden		Uresti* (SB 1376)	
36 TP Support	HB1912	Effective 9/1/09	Requires DFPS to expand transition planning to children age 14 in PMC, including enrolling them in PAL services before they turn 16. Makes youth over the age of 18 eligible for transitional living allowance benefits even when the youth is living with a person who is designated as a perpetrator of abuse or neglect if the department determines that despite the person's prior history, the person does not pose a threat to the health and safety of the youth.	Rodriguez Hughes King, Susan Herrero Naishtat		Van de Putte	Uresti Zaffirini
37 TP Support	HB2225	Effective 6/19/09	Creates a nine-member adoption review committee that, along with DFPS will conduct an extensive review of the foster care system. The committee will identify obstacles to permanent placements, including adoption, and develop ways to improve the system.	Parker Hughes Rose Legler Lucio III	Moody Shelton	Nelson	
38 TP Support	HB 2659	Failed to Pass	Requires any entity that contracts with the WIC program to provide mothers who receive services and the fathers if possible, with an AG developed publication on fatherhood.	Villarreal Farrar	Kent		
39 TP Support	HB 2974	Failed to Pass	Delineates certain duties of the HHSC Executive Commissioner.	Coleman			
40	HB 3137	Effective 6/19/09	Requires CPS to develop and provide foster parents with a written statement regarding their rights and responsibilities.	Gallego		Nelson	

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41	HB 3689	Effective 6/19/09	Requires a coordinated strategic plan that includes the development of common data sources and data sharing among TYC, Texas Juvenile Probation Commission, DFPS, DSHS, TEA and other state agencies that serve youth in the juvenile system.	McClendon Kolkhorst Isett Madden		Hinojosa* (SB 1020) (Hegar)	
42	HB 4009	Effective 9/1/09	Establishes a human trafficking prevention task force, creates a assistance program for domestic victims of trafficking, creates a trafficking of persons investigation and prosecution account in the general revenue fund, authorizes a study of the alternatives to the juvenile justice system for children who engage in acts of prostitution, requires training of certain law enforcement offices on the trafficking of persons, alters provisions of the Penal Code regarding the offenses involving trafficking of persons and certain forced or sex-based labor or services.	Weber Anchia Thompson Naishtat Alvarado	81 members signed on as co-authors	Van de Putte	
43 TP Support	HB 4023	Failed to Pass	Requires HHSC to conduct a study on the feasibility of providing services and benefits under federally funded programs to encourage a father's involvement in their child's life to begin during pregnancy.	Villarreal Farrar			
44 TP Support	HB 4426	Failed to Pass	Special Immigrant Juvenile Status (SIJS) is a special form of immigration relief available to non-citizen children who are victims of abuse, neglect, or abandonment under existing federal immigration law. The federal law governing SIJS allows a child to pursue SIJS status until age 21. However, Texas family courts do not have jurisdiction to make the necessary finding for an individual age 18 or older. This measure would allow jurisdiction till the age of 21.	Hernandez Alonzo		Van de Putte	

*Denotes that the legislator filed an identical (companion) piece of legislation.

** Denotes companion failed to pass out of originating chamber. Otherwise see "**".

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