

By: White, Minjarez, J. Johnson of Harris

H.B. No. 542

A BILL TO BE ENTITLED

1 AN ACT

2 relating to foster care placement in and the licensing of certain
3 residential child-care facilities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section [264.107](#), Family Code, is amended by
6 adding Subsection (h) to read as follows:

7 (h) The department by rule shall establish guidelines for
8 the placement of a child in a residential child-care facility at
9 which a preventable death, as defined by Section [264.501](#), of a child
10 in the managing conservatorship of the department occurred.

11 SECTION 2. Section [42.046](#), Human Resources Code, is amended
12 by adding Subsection (e-1) to read as follows:

13 (e-1) The commission shall deny an application under this
14 section if:

15 (1) the applicant operated a residential child-care
16 facility at which a preventable death, as defined by Section
17 [264.501](#), Family Code, of a child in the managing conservatorship of
18 the department occurred; and

19 (2) the commission terminated a contract with the
20 residential child-care facility as the result of the preventable
21 death.

22 SECTION 3. The changes in law made by this Act to Section
23 [42.046](#), Human Resources Code, apply only to an application for a
24 license submitted to the Health and Human Services Commission on or

1 after the effective date of this Act.

2 SECTION 4. This Act takes effect September 1, 2021.