

By: White

H.B. No. 542

A BILL TO BE ENTITLED

AN ACT

1  
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.