

By: Hull

H.B. No. 2973

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements for court-appointed volunteer advocate programs.

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

SECTION 1. Subchapter G, Chapter 264.601, Family Code, is amended by adding Subsections (3) and (4) to read as follows:

Sec. 264.601. DEFINITIONS. In this subchapter:

(1) "Abused or neglected child" means a child who is:

(A) the subject of a suit affecting the parent-child relationship filed by a governmental entity; and

(B) under the control or supervision of the department.

(2) "Volunteer advocate program" means a volunteer-based, nonprofit program that:

(A) provides advocacy services to abused or neglected children with the goal of obtaining a permanent placement for a child that is in the child's best interest; and

(B) complies with recognized standards for volunteer advocate programs.

(3) "Volunteer active advocate" means an individual who:

(A) has been trained by a volunteer advocate program under requirements of Section 264.607; and

(B) is currently serving as a volunteer advocate

1 on at least one child's case.

2 (4) "Volunteer inactive advocate" means a person who:

3 (A) has been trained by a volunteer advocate
4 program under requirements of Section 264.607; and

5 (B) is not currently serving as a volunteer
6 advocate on at least one child's case.

7 SECTION 2. Subchapter A, Chapter 264.603, Family Code, is
8 amended by amending Subsection (1) to read as follows:

9 Sec. 264.603. ADMINISTRATIVE CONTRACTS. (a) The commission
10 shall contract with one statewide organization that is exempt from
11 federal income taxation under Section 501(a), Internal Revenue Code
12 of 1986, as an organization described by Section 501(c)(3) of that
13 code and designated as a supporting organization under Section
14 509(a)(3) of that code, and that is composed of individuals or
15 groups of individuals who have expertise in the dynamics of child
16 abuse and neglect and experience in operating volunteer advocate
17 programs to provide training, technical assistance, and evaluation
18 services for the benefit of local volunteer advocate programs. The
19 contract shall:

20 (1) include measurable goals and objectives relating
21 to the number of:

22 (A) volunteer active advocates in the program;

23 ~~and~~

24 (B) volunteer inactive advocates in the program;

25 ~~(B)~~ (C) children receiving services from the
26 program; and

27 (2) follow practices designed to ensure compliance

1 with standards referenced in the contract.

2 (b) The contract under this section shall provide that not
3 more than 12 percent of the annual legislative appropriation to
4 implement this subchapter may be spent for administrative purposes
5 by the statewide organization with which the commission contracts
6 under this section.

7 SECTION 3. Subchapter G, Chapter 264.604, Family Code, is
8 amended by adding Subsection (5) and (6) to read as follows:

9 Sec. 264.604. ELIGIBILITY FOR CONTRACTS. (a) A person is
10 eligible for a contract under Section 264.602 only if the person is
11 a public or private nonprofit entity that operates a volunteer
12 advocate program that:

13 (1) uses individuals appointed as volunteer advocates
14 or guardians ad litem by the court to provide for the needs of
15 abused or neglected children;

16 (2) has provided court-appointed advocacy services
17 for at least six months;

18 (3) provides court-appointed advocacy services for at
19 least 10 children each month; ~~and~~

20 (4) has demonstrated that the program has local
21 judicial support; ~~and~~

22 (5) provides a grievance process to address complaints
23 regarding negligence or misconduct that pertain to duties outlined
24 in Section 107.002; and

25 (6) maintains an accurate record of individuals
26 defined in Section 264.601(3) and (4).

27 (b) The statewide organization with which the commission

1 contracts under Section 264.603 may not contract with a person that
2 is not eligible under this section. However, the statewide
3 organization may waive the requirement in Subsection (a)(3) for an
4 established program in a rural area or under other special
5 circumstances.

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