

By: West, et al.
(Shaheen)

S.B. No. 2591

Substitute the following for S.B. No. 2591:

By: Frank

C.S.S.B. No. 2591

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the appointment of the Department of Family and
3 Protective Services and a child's parent or legal guardian as joint
4 managing conservators for the child.

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

6 SECTION 1. Section 262.352, Family Code, is amended by
7 adding Subsection (b) to read as follows:

8 (b) A court shall enter an order appointing the department
9 and the child's parent or legal guardian as joint managing
10 conservators of the child if the court finds sufficient evidence to
11 satisfy a person of ordinary prudence and caution that the child's
12 parent or legal guardian has:

13 (1) exhausted all reasonable means available to the
14 parent or legal guardian to obtain mental health services to meet
15 the child's needs; and

16 (2) agreed to actively participate in the child's
17 service plan in preparation for the child's return to the parent or
18 legal guardian.

19 SECTION 2. The change in law made by this Act applies only
20 to a suit affecting the parent-child relationship filed on or after
21 the effective date of this Act. A suit affecting the parent-child
22 relationship filed before the effective date of this Act is
23 governed by the law in effect on the date the suit was filed, and the
24 former law is continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2023.