

By: Menéndez

S.B. No. 545

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the licensing of relative or other designated
3 caregivers by the Department of Family and Protective Services and
4 monetary assistance provided to certain relative or designated
5 caregivers.

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

7 SECTION 1. Sections 264.755(a) and (a-1), Family Code, are
8 amended to read as follows:

9 (a) Except as provided by Section 264.760(b), the ~~[The]~~
10 department shall, subject to the availability of funds, enter into
11 a caregiver assistance agreement with each relative or other
12 designated caregiver to provide monetary assistance and additional
13 support services to the caregiver. The monetary assistance and
14 support services shall be based on a family's need, as determined by
15 Subsection (b) and rules adopted by the executive commissioner.

16 (a-1) When a relative or other designated caregiver enters
17 into a caregiver assistance agreement under Subsection (a), the
18 department shall inform the caregiver of:

19 (1) the option to become verified by a licensed
20 child-placing agency to operate an agency foster home, if
21 applicable; ~~[and]~~

22 (2) the licensing procedures provided under Section
23 42.0539, Human Resources Code; and

24 (3) the permanency care assistance program under

1 Subchapter K.

2 SECTION 2. Section 264.760, Family Code, is amended to read
3 as follows:

4 Sec. 264.760. ELIGIBILITY FOR FOSTER CARE PAYMENTS AND
5 PERMANENCY CARE ASSISTANCE. (a) Notwithstanding any other
6 provision of this subchapter, a relative or other designated
7 caregiver [~~who becomes verified by a licensed child-placing agency~~
8 ~~to operate an agency foster home under Chapter 42, Human Resources~~
9 ~~Code,~~] may receive foster care payments in lieu of the benefits
10 provided by this subchapter if the caregiver:

11 (1) becomes verified by a licensed child-placing
12 agency to operate an agency foster home under Chapter 42, Human
13 Resources Code; or

14 (2) obtains a license under Section 42.0539, Human
15 Resources Code.

16 (b) The relative or other designated caregiver may receive
17 foster care payments under this section[7] beginning with the first
18 month in which the [~~relative or other designated~~] caregiver becomes
19 licensed or is verified.

20 SECTION 3. Section 264.852, Family Code, is amended by
21 adding Subsection (a-1) to read as follows:

22 (a-1) A kinship provider who receives foster care payments
23 as provided by Section 264.760 is not eligible for permanency care
24 assistance benefits under this subchapter.

25 SECTION 4. Subchapter C, Chapter 42, Human Resources Code,
26 is amended by adding Section 42.0539 to read as follows:

27 Sec. 42.0539. LICENSE FOR RELATIVE AND DESIGNATED

1 CAREGIVERS. (a) The executive commissioner by rule shall adopt a
2 procedure to issue a license to a relative or other designated
3 caregiver, as defined by Section 264.751, Family Code, that allows
4 the caregiver to receive foster care payments under Section
5 264.760, Family Code.

6 (b) The procedure must require the caregiver to meet the
7 basic safety requirements provided by the executive commissioner
8 rule to ensure the safety of the child.

9 SECTION 5. This Act takes effect September 1, 2025.