

## **BILL ANALYSIS**

S.B. 1665  
By: Averitt  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, a law enforcement officer is authorized to take custody of a child without a court order under certain circumstances. Once the law enforcement officer takes temporary custody of a child, the officer the maintains temporary custody until Child Protective Services (CPS) or the responsible party takes custody of the child. During this interim, the officer is removed from law enforcement duties and emergency response services. Senate Bill 1665 authorizes employees of or volunteers with a law enforcement agency to assist police officers with the temporary care of a child taken into possession without a court order until further arrangements regarding the child's custody can be made as long as the employee or volunteer has passed a background and criminal history check.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 262, Family Code, by adding Section 262.009, as follows:

Sec. 262.009. TEMPORARY CARE OF CHILD TAKEN INTO POSSESSION. Authorizes an employee of or volunteer with a law enforcement agency, who successfully completes a background and criminal history check approved by the law enforcement agency, to assist a law enforcement or juvenile probation officer with the temporary care of a child who is taken into possession by a governmental entity without a court order under this chapter until further arrangements regarding the child's custody can be made.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2003.

### **EFFECTIVE DATE**

September 1, 2003.