

AN ACT

relating to recruiting foster parents from certain organizations and immunity from liability of those organizations.

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

SECTION 1. Subchapter B, Chapter 264, Family Code, is amended by adding Sections 264.113 and 264.114 to read as follows:

Sec. 264.113. FOSTER PARENT RECRUITMENT. (a) In this section, "faith-based organization" means a religious or denominational institution or organization, including an organization operated for religious, educational, or charitable purposes and operated, supervised, or controlled, in whole or in part, by or in connection with a religious organization.

(b) The department shall develop a program to recruit and retain foster parents from faith-based organizations. As part of the program, the department shall:

(1) collaborate with faith-based organizations to inform prospective foster parents about the department's need for foster parents, the requirements for becoming a foster parent, and any other aspect of the foster care program that is necessary to recruit foster parents;

(2) provide training for prospective foster parents recruited under this section; and

(3) identify and recommend ways in which faith-based organizations may support persons as they are recruited, are

1 trained, and serve as foster parents.

2 Sec. 264.114. IMMUNITY FROM LIABILITY. (a) A faith-based
3 organization, including the organization's employees and
4 volunteers, that participates in a program under this chapter is
5 subject to civil liability as provided by Chapter 84, Civil
6 Practice and Remedies Code.

7 (b) A faith-based organization that provides financial or
8 other assistance to a foster parent or to a member of the foster
9 parent's household is not liable for damages arising out of the
10 conduct of the foster parent or a member of the foster parent's
11 household.

12 SECTION 2. The change in law made by Section 264.114, Family
13 Code, as added by this Act, applies only to a cause of action that
14 accrues on or after the effective date of this Act. A cause of
15 action that accrues before the effective date of this Act is
16 governed by the law in effect immediately before the effective date
17 of this Act, and the former law is continued in effect for that
18 purpose.

19 SECTION 3. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2003.

S.B. No. 1489

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1489 passed the Senate on April 24, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1489 passed the House on May 23, 2003, by the following vote: Yeas 145, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor