

By: Ogden

S.B. No. 1489

A BILL TO BE ENTITLED

AN ACT

1
2 relating to recruiting foster parents from certain organizations
3 and immunity from liability of those organizations.

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

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

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

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

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

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

23 (3) identify and recommend ways in which faith-based
24 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.