

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 an organization exempt
9 from federal income tax under Section 501(a) of the Internal
10 Revenue Code by being listed as an exempt organization in Section
11 501(c)(3) of that code and organized for religious purposes.

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

15 (1) communicate to prospective foster parents under
16 this section the department's need for foster parents, the
17 requirements for becoming a foster parent, and any other aspect of
18 the foster care program that is necessary to recruit foster
19 parents; and

20 (2) provide training for prospective foster parents
21 recruited under this section.

22 Sec. 264.114. IMMUNITY FROM LIABILITY. (a) A faith-based
23 organization that participates in a program under this section and
24 the organization's volunteers and employees shall be immune from

1 liability as provided in Chapter 84, Civil Practice and Remedies
2 Code.

3 (b) A faith-based organization that provides financial or
4 other assistance to a person who is a foster parent or to members of
5 the person's household is not liable for damages arising out of
6 conduct of the foster parent or members of the person's household.

7 SECTION 2. This Act applies only to liability for conduct
8 that occurs on or after the effective date of this Act. Liability
9 for conduct that occurs before the effective date of this Act is
10 governed by the law in effect immediately before that date, and that
11 law is continued in effect for that purpose.

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