

Amend CSSB 6 by adding the following appropriately numbered sections to Article 1 of the bill and renumbering the remaining sections of the article as appropriate:

SECTION _____. Section 261.302, Family Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) Except as provided by this subsection, the department may transport a child as provided by Subsection (b)(3) only if the department makes a reasonable documented effort to notify the parent or other person having custody of the child of the transport before the child is transported. The department may transport a child without giving prior notice if the department:

(1) determines and documents, based on the department's preliminary investigation, that the notification would place another child at risk of harm;

(2) obtains an emergency order under Section 262.102;
or

(3) takes possession of the child without a court order under Section 262.104.

SECTION _____. Section 262.105(a), Family Code, is amended to read as follows:

(a) Except as provided by Section 262.1051, when ~~When~~ a child is taken into possession without a court order, the person taking the child into possession, without unnecessary delay, shall:

(1) file a suit affecting the parent-child relationship;

(2) request the court to appoint an attorney ad litem for the child; and

(3) request an initial hearing to be held by no later than the first working day after the date the child is taken into possession.

SECTION _____. Subchapter B, Chapter 262, Family Code, is amended by adding Sections 262.1051 and 262.1052 to read as follows:

Sec. 262.1051. RETURN OF CHILD AFTER TAKING POSSESSION WITHOUT COURT ORDER. If the Department of Family and Protective Services takes possession of a child under Section 262.104, the department is not required to file suit under Section 262.105 if:

(1) based on further investigation, the department determines that the child's safety can be assured without court intervention;

(2) the child is returned to a parent or placed with another person determined to be suitable by the department and agreed to by a parent not later than the first day after the date the child is taken into possession; and

(3) the department prepares a report describing in detail:

(A) the facts that warranted taking possession of the child without a court order;

(B) the results of the department's investigation; and

(C) the basis for the department's determination that the child's safety can be assured without court intervention.

Sec. 262.1052. REVIEW OF EMERGENCY REMOVALS BY DEPARTMENT WITHOUT COURT INTERVENTION. The Department of Family and Protective Services shall:

(1) file the report required by Section 262.1051 with the Health and Human Services Commission's office of inspector general;

(2) compile and maintain separate statistical information, on both regional and statewide bases, with regard to:

(A) all cases in which a child is transported without prior notification to a parent or other person having custody of the child as provided by Section 261.302(b-1); and

(B) all cases in which a child is returned or placed without court intervention as provided by Section 262.1051; and

(3) on request by a committee of the legislature, prepare an analysis of the reports and information required by this section in the manner specified by the committee.

SECTION _____. Subchapter C, Chapter 40, Human Resources Code, is amended by adding Section 40.073 to read as follows:

Sec. 40.073. PARENTAL ADVISORY COMMITTEE. (a) The Parental Advisory Committee shall advise the department on policies affecting parents and their involvement with the department,

including:

(1) investigations of allegations of abuse or neglect;

(2) designations of alternative placements for children; and

(3) standards for persons who investigate reports of abuse or neglect on the state or local level.

(b) The Parental Advisory Committee consists of members appointed by the governor. The governor shall establish:

(1) the qualifications for committee members;

(2) the terms for committee members; and

(3) the number of committee members.

(c) Chapter 2110, Government Code, does not apply to the committee.

(d) A committee member may not receive compensation for serving on the committee but is entitled to reimbursement of travel expenses incurred by the member while conducting the business of the committee as provided by the General Appropriations Act.