

Amend CSSB 6 as follows:

(1) On page 15, line 8, between "PROCEDURE." and "As", insert "(a)".

(2) On page 16, between lines 16 and 17, insert the following:

(b) The child placement resources form described by Subsection (a)(2) must include information on the periods of time by which the department must complete a background check subject to the requirements of Section 262.1002 and place the child with the designated person subject to the requirements of Section 262.1001.

(3) In Article 1 of the bill, insert the following appropriately numbered SECTION and renumber the SECTIONS of the article accordingly:

SECTION __. (a) Subchapter B, Chapter 262, Family Code, is amended by adding Sections 262.1001 and 262.1002 to read as follows:

Sec. 262.1001. DESIGNATION OF ALTERNATIVE PLACEMENT OF CHILD. (a) Because placing a child in the care of a person designated by the child's parent, conservator, or legal guardian is in the child's best interest, a governmental entity that determines after an investigation that a child should be removed from the child's home and that a suit affecting the parent-child relationship has been or will be filed by the entity as provided by this chapter with regard to the child shall inform the child's parent, conservator, or legal guardian that the person may designate another person who is related to the child by blood, adoption, or marriage or who has a significant, long-standing relationship with the child or the child's family to care for the child preceding the filing of and during the pendency of a suit affecting the parent-child relationship.

(b) A governmental entity that places a child with a person designated by the child's parent, conservator, or legal guardian as provided by this section shall:

(1) develop a written child protection plan for the child as provided by Subsection (c);

(2) provide to the person designated by the child's parent, conservator, or legal guardian a copy of the child

protection plan in a language understandable by the person and explain the plan to the person in that language; and

(3) if the child is being regularly breast-fed, to the extent possible, provide to the child's mother scheduled visitation periods at appropriate intervals to allow the mother to continue breast-feeding the child, unless the court finds after a hearing that the mother is not fit for these visitation periods.

(c) The child protection plan required by Subsection (b) must include reasonable restrictions on contacts with the child and other terms designed to reasonably ensure the safety of the child. The plan must be signed by the department, the designated person, each member of the designated person's household who is at least 18 years of age, and the child's parent, conservator, or legal guardian. Each person who signs the plan must agree that if there is an alleged violation of the plan, all parties will attend a court hearing to be held not later than the date of the next review hearing or as soon as practicable. At the conclusion of the hearing, the court shall determine whether a violation of the plan has occurred and issue necessary orders to restore compliance with the plan or place the child in the custody of the department.

(d) Each party to the plan must agree to the plan before the department may release the child to the designated person.

Sec. 262.1002. LIMITATION ON PLACEMENT WITH DESIGNATED PERSON. (a) Except as provided by Subsection (c), the department may not place a child with a person designated by the child's parent, conservator, or legal guardian under Section 262.1001 if the department determines that the designated person or another person in the designated person's household:

(1) is registered in the department's statewide central registry system with a finding that the department confirmed or had reason to believe that the parent abused or neglected a child;

(2) is the subject of a report of abuse or neglect of a child being investigated by the department;

(3) has been convicted of a felony; or

(4) has previously voluntarily relinquished parental rights as the result of an allegation of child abuse or neglect.

(b) A law enforcement agency in this state on the request of the department shall assist in conducting a criminal background check on the designated person or any other person in the designated person's household.

(c) The department may place a child with a designated person prohibited from placement under Subsection (a) if the department determines that placement of the child with the designated person will not endanger the child. The child protection plan under Section 262.1001 must address any issues with regard to the placement of the child under this subsection.

(b) Section 262.109, Family Code, is amended by adding Subsection (e) to read as follows:

(e) In addition to the notice required by Subsection (c), the department must provide to the child's parent, conservator, or legal guardian the standard child placement resources form to be completed by the parent, conservator, or legal guardian as provided by Section 262.1001. The department shall inform the parent, conservator, or legal guardian of a location that is available to the person to submit the information in the form 24 hours a day either in person or by facsimile machine or by e-mail.

(c) Sections 262.1001, 262.1002, and 262.109(e), Family Code, as added by this article, apply only to the removal of a child from the child's residence that occurs on or after the effective date of this Act. The removal of a child from the child's residence that occurred before the effective date of this Act is governed by the law in effect on the date the child was removed, and the former law is continued in effect for that purpose.