

AN ACT

relating to the membership of the Family and Protective Services Council.

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

SECTION 1. Section 40.021, Human Resources Code, is amended by adding Subsection (g) to read as follows:

(g) One of the members of the council under Subsection (b) must be a person who was a child in the foster care system. If after conducting a search, the governor determines that no qualified individual under this subsection is available, the governor may appoint another person qualified under Subsection (b).

SECTION 2. (a) The change in law made by this Act to Section 40.021, Human Resources Code, relating to the qualifications of members of the Family and Protective Services Council does not affect the entitlement of a member of the council serving immediately before the effective date of this Act to continue to serve on the council for the term to which the member was appointed.

(b) As the terms of the members of the council expire or as vacancies on the council occur, the governor shall make appointments to the council to achieve, as soon as possible, the membership plan prescribed by Section 40.021, Human Resources Code, as amended by this Act.

SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2005.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 404 was passed by the House on March 22, 2005, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 404 on May 17, 2005, by the following vote: Yeas 128, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 404 was passed by the Senate, with amendments, on May 10, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor