

1-1 By: Villarreal, Davis of Harris H.B. No. 404
1-2 (Senate Sponsor - Shapleigh)
1-3 (In the Senate - Received from the House March 23, 2005;
1-4 March 30, 2005, read first time and referred to Committee on Health
1-5 and Human Services; April 28, 2005, reported adversely, with
1-6 favorable Committee Substitute by the following vote: Yeas 7,
1-7 Nays 0; April 28, 2005, sent to printer.)

1-8 COMMITTEE SUBSTITUTE FOR H.B. No. 404 By: Nelson

1-9 A BILL TO BE ENTITLED
1-10 AN ACT

1-11 relating to the membership of the Family and Protective Services
1-12 Council.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 40.021, Human Resources Code, is amended
1-15 by adding Subsection (g) to read as follows:

1-16 (g) One of the members of the council under Subsection (b)
1-17 must be a person who was a child in the foster care system. If after
1-18 conducting a search, the governor determines that no qualified
1-19 individual under this subsection is available, the governor may
1-20 appoint another person qualified under Subsection (b).

1-21 SECTION 2. (a) The change in law made by this Act to
1-22 Section 40.021, Human Resources Code, relating to the
1-23 qualifications of members of the Family and Protective Services
1-24 Council does not affect the entitlement of a member of the council
1-25 serving immediately before the effective date of this Act to
1-26 continue to serve on the council for the term to which the member
1-27 was appointed.

1-28 (b) As the terms of the members of the council expire or as
1-29 vacancies on the council occur, the governor shall make
1-30 appointments to the council to achieve, as soon as possible, the
1-31 membership plan prescribed by Section 40.021, Human Resources Code,
1-32 as amended by this Act.

1-33 SECTION 3. This Act takes effect immediately if it receives
1-34 a vote of two-thirds of all the members elected to each house, as
1-35 provided by Section 39, Article III, Texas Constitution. If this
1-36 Act does not receive the vote necessary for immediate effect, this
1-37 Act takes effect September 1, 2005.

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