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3 law enforcement or juvenile probation officer. 4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 5 SECTION 1. Subchapter B, Chapter 262, Family Code, i 6 amended by adding Section 262.1041 to read as follows: 7 Sec. 262.1041. RELEASE OF CHILD BY LAW ENFORCEMENT OF 8 JUVENILE PROBATION OFFICER. (a) A law enforcement or juvenil 9 probation officer who takes possession of a child under thi 10 chapter may release the child to: 11 (1) a child-placing agency licensed by the Department 12 of Family and Protective Services under Chapter 42, Human Resource 13 Code, if the agency is authorized by the department to tak 14 possession of the child; 15 (2) the Department of Family and Protective Services 16 or 17 (3) any other person authorized by law to tak 18 possession of the child. 19 (b) A child-placing agency or other authorized person wh 10 takes possession of a child under this section shall: 21 (1) immediately notify the Department of Family an 22 10 23 taken possession of the child; a	1	AN ACT
4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 5 SECTION 1. Subchapter B, Chapter 262, Family Code, i 6 amended by adding Section 262.1041 to read as follows: 7 Sec. 262.1041. RELEASE OF CHILD BY LAW ENFORCEMENT OF 8 JUVENILE PROBATION OFFICER. (a) A law enforcement or juvenil 9 probation officer who takes possession of a child under thi 10 chapter may release the child to: 11 (1) a child-placing agency licensed by the Department 12 of Family and Protective Services under Chapter 42, Human Resource 13 Code, if the agency is authorized by the department to tak 14 possession of the child; 15 (2) the Department of Family and Protective Services 16 or 17 (3) any other person authorized by law to tak 18 possession of the child. 19 (b) A child-placing agency or other authorized person wh 20 takes possession of a child under this section shall: 21 (1) immediately notify the Department of Family an 22 child under this section shall: 23 taken possession of the child; and	2	relating to release of a child taken into protective custody by a
5 SECTION 1. Subchapter B, Chapter 262, Family Code, i 6 amended by adding Section 262.1041 to read as follows: 7 Sec. 262.1041. RELEASE OF CHILD BY LAW ENFORCEMENT OF 8 JUVENILE PROBATION OFFICER. (a) A law enforcement or juvenil 9 probation officer who takes possession of a child under thi 10 chapter may release the child to: 11 (1) a child-placing agency licensed by the Department 12 of Family and Protective Services under Chapter 42, Human Resource 13 Code, if the agency is authorized by the department to take 14 possession of the child; 15 (2) 16 or 17 (3) any other person authorized by law to take 18 possession of the child. 19 (b) A child-placing agency or other authorized person wh 20 takes possession of a child under this section shall: 21 (1) immediately notify the Department of Family and 22 taken possession of the child; and	3	law enforcement or juvenile probation officer.
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8 JUVENILE PROBATION OFFICER. (a) A law enforcement or juvenil 9 probation officer who takes possession of a child under thi 10 chapter may release the child to: 11 (1) a child-placing agency licensed by the Departmen 12 of Family and Protective Services under Chapter 42, Human Resource 13 Code, if the agency is authorized by the department to tak 14 possession of the child; 15 (2) 16 or 17 (3) any other person authorized by law to tak 18 possession of the child. 19 (b) A child-placing agency or other authorized person wh 20 takes possession of a child under this section shall: 21 (1) 22 immediately notify the Department of Family and	6	amended by adding Section 262.1041 to read as follows:
9 probation officer who takes possession of a child under thi chapter may release the child to: (1) a child-placing agency licensed by the Departmen of Family and Protective Services under Chapter 42, Human Resource Code, if the agency is authorized by the department to tak possession of the child; (2) the Department of Family and Protective Services (2) the Department of Family and Protective Services or (3) any other person authorized by law to tak possession of the child. (3) any other person authorized by law to tak possession of the child. (b) A child-placing agency or other authorized person wh takes possession of a child under this section shall: (1) immediately notify the Department of Family an Protective Services that the agency or other authorized person ha taken possession of the child; and	7	Sec. 262.1041. RELEASE OF CHILD BY LAW ENFORCEMENT OR
10 chapter may release the child to: 11 (1) a child-placing agency licensed by the Departmen 12 of Family and Protective Services under Chapter 42, Human Resource 13 Code, if the agency is authorized by the department to tak 14 possession of the child; 15 (2) 16 or 17 (3) any other person authorized by law to tak 18 possession of the child. 19 (b) A child-placing agency or other authorized person wh 20 takes possession of a child under this section shall: 21 (1) 22 protective Services that the agency or other authorized person ha 23 taken possession of the child; and	8	JUVENILE PROBATION OFFICER. (a) A law enforcement or juvenile
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12 of Family and Protective Services under Chapter 42, Human Resource 13 Code, if the agency is authorized by the department to tak 14 possession of the child; 15 (2) the Department of Family and Protective Services 16 or 17 (3) any other person authorized by law to tak 18 possession of the child. 19 (b) A child-placing agency or other authorized person wh 20 takes possession of a child under this section shall: 21 (1) immediately notify the Department of Family and 22 Protective Services that the agency or other authorized person had 23 taken possession of the child; and	10	chapter may release the child to:
13 Code, if the agency is authorized by the department to tak 14 possession of the child; 15 (2) the Department of Family and Protective Services 16 or 17 (3) any other person authorized by law to tak 18 possession of the child. 19 (b) A child-placing agency or other authorized person wh 20 takes possession of a child under this section shall: 21 (1) immediately notify the Department of Family and 22 Protective Services that the agency or other authorized person had 23 taken possession of the child; and	11	(1) a child-placing agency licensed by the Department
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20 <u>takes possession of a child under this section shall:</u> 21 <u>(1) immediately notify the Department of Family an</u> 22 <u>Protective Services that the agency or other authorized person ha</u> 23 <u>taken possession of the child; and</u>	18	possession of the child.
21 (1) immediately notify the Department of Family an 22 Protective Services that the agency or other authorized person ha 23 taken possession of the child; and	19	(b) A child-placing agency or other authorized person who
22 Protective Services that the agency or other authorized person ha 23 taken possession of the child; and	20	takes possession of a child under this section shall:
23 taken possession of the child; and	21	(1) immediately notify the Department of Family and
	22	Protective Services that the agency or other authorized person has
24 (2) with the assistance of the law enforcement o	23	taken possession of the child; and
· · · · · · · · · · · · · · · · · · ·	24	(2) with the assistance of the law enforcement or

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juvenile probation officer who releases the child to the agency or
other authorized person, complete a form prescribed by the
Department of Family and Protective Services that contains basic
information regarding the child and the circumstances under which
the officer took possession of the child and promptly submit the
completed form to the department.
SECTION 2. This Act takes effect immediately if it receives
a vote of two-thirds of all the members elected to each house, as
provided by Section 39, Article III, Texas Constitution. If this
Act does not receive the vote necessary for immediate effect, this

11 Act takes effect September 1, 2005.

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President of the Senate

Speaker of the House

I certify that H.B. No. 798 was passed by the House on April 26, 2005, by the following vote: Yeas 145, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 798 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED:

Date

Governor