

BILL ANALYSIS

C.S.H.B. 1938
By: Burnam
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The Department of Family and Protective Services manages the state's foster care system and allows the child under their care to be placed with foster parents. In order for the department to keep the children in the foster care system safe, the department shall require that foster parents request permission from the court for the foster child to travel outside the United States.

Committee Substitute House Bill 1938 creates restrictions on travel outside of the United States by children in foster care.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Committee Substitute House Bill 1938 adds Section 264.122 to Subchapter B of Chapter 264 of the Family Code to require a foster parent to petition the court for authorization to travel with a child, for whom the department has been appointed managing conservator, outside of the United States.

The substitute requires the court to provide notice to the department and to any person entitled to notice if the court renders an order granting approval for the child to travel outside of the United States.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute requires a foster parent to petition the court for authorization to travel with a foster child outside of the United States rather than outside of the state.