

## **BILL ANALYSIS**

Senate Research Center  
80R3285 KFF-D

S.B. 805  
By: Uresti  
Health & Human Services  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current licensing rules defined in the Texas Administrative Code, children in the care of the Department of Family and Protective Services (DFPS) are entitled to rights protecting them from abuse and discrimination, while at the same time guaranteeing them the right to appropriate treatment services and educational opportunities. These rights apply to child-placing agencies of DFPS. Foster children rarely have the opportunity to examine and fully comprehend these rights, and are unable to advocate for themselves appropriately when their rights have been infringed.

As proposed, S.B. 805 establishes the foster children's bill of rights, expanding upon the existing rights in statute and mandating that those rights be printed on a document, translated into language that children can understand, and clearly explained to all children under the care of DFPS.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 263, Family Code, by adding Section 263.007, as follows:

Sec. 263.007. FOSTER CHILDREN'S BILL OF RIGHTS. (a) Defines "foster children's bill of rights."

(b) Provides that it is the policy of this state to afford each child in substitute care certain rights. Sets forth a list of those rights.

(c) Prohibits this section from being construed to require a foster parent or other substitute care provider to take any action resulting in the impairment of the health or safety of a child in substitute care. Requires any action taken that is inconsistent with the foster children's bill of rights to be included in the permanency progress report or placement review report filed with a court.

(d) Requires the Department of Family and Protective Services (DFPS) to provide a written copy of the foster children's bill of rights to each child placed in substitute care in the child's primary language, if possible, and to inform a child of the rights provided by the foster children's bill of rights in a certain manner.

(e) Requires a home or facility in which a child is placed in substitute care to notably display a copy of the foster children's bill of rights in a public area of the home or facility that is readily accessible by the child. Requires the foster children's bill of rights to be printed in English and in a second language.

(f) Requires DFPS to promote the participation of foster children and former foster children in educating other foster children about the foster children's bill of rights.

SECTION 2. Effective date: upon passage or September 1, 2007.