

By: Janek

S.B. No. 813

Substitute the following for S.B. No. 813:

By: Rose

C.S.S.B. No. 813

A BILL TO BE ENTITLED

AN ACT

relating to child protective services.

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

SECTION 1. Section 107.013, Family Code, is amended by adding Subsection (d) to read as follows:

(d) A parent who claims indigence under Subsection (a) must file an affidavit of indigence in accordance with Rule 145(b) of the Texas Rules of Civil Procedure before the court can conduct a hearing to determine the parent's indigence under this section.

SECTION 2. Section 263.405, Family Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) Not later than the 15th day after the date a final order is signed by the trial judge, a party who intends to request a new trial or ~~[intending to]~~ appeal the order must file with the trial court:

(1) a request for a new trial; or

(2) if an appeal is sought, a statement of the point or points on which the party intends to appeal.

(b-1) The statement under Subsection (b)(2) may be combined with a motion for a new trial.

SECTION 3. Section 264.106, Family Code, is amended by adding Subsection (1) to read as follows:

(1) Notwithstanding any other law, the department or an

1 independent administrator may contract with a child welfare board
2 established under Section 264.005, a local governmental board
3 granted the powers and duties of a child welfare board under state
4 law, or a children's advocacy center established under Section
5 264.402 for the provision of substitute care and case management
6 services in this state if the board or center provided direct
7 substitute care or case management services under a contract with
8 the department before September 1, 2006.

9 SECTION 4. Subsection (a), Section 265.004, Family Code, is
10 amended to read as follows:

11 (a) To the extent that money is appropriated for the
12 purpose, the department shall fund evidence-based programs offered
13 by community-based organizations that are designed to prevent or
14 ameliorate child abuse and neglect. The evidence-based programs
15 funded under this subsection may be offered by a child welfare board
16 established under Section 264.005, a local governmental board
17 granted the powers and duties of a child welfare board under state
18 law, or a children's advocacy center established under Section
19 264.402.

20 SECTION 5. Subchapter A, Chapter 45, Human Resources Code,
21 is amended by adding Sections 45.005 and 45.006 to read as follows:

22 Sec. 45.005. PROVISION OF SUBSTITUTE CARE AND CASE
23 MANAGEMENT SERVICES BY CERTAIN PERSONS. Notwithstanding any other
24 law, the department or an independent administrator may contract
25 with a child welfare board established under Section 264.005,
26 Family Code, a local governmental board granted the powers and
27 duties of a child welfare board under state law, or a children's

1 advocacy center established under Section 264.402, Family Code, for
2 the provision of substitute care and case management services in
3 this state if the board or center provided direct substitute care or
4 case management services under a contract with the department
5 before September 1, 2006.

6 Sec. 45.006. VALUE-ADDED SERVICES. A substitute care or
7 case management services provider that contracts with the
8 department or an independent administrator to provide substitute
9 care or case management services may provide value-added services
10 that supplement the substitute care or case management services
11 required to be provided under the contract.

12 SECTION 6. The changes in law made by Subsection (d),
13 Section 107.013, Family Code, as added by this Act, and Section
14 263.405, Family Code, as amended by this Act, apply only to a suit
15 affecting the parent-child relationship filed on or after the
16 effective date of this Act. A suit affecting the parent-child
17 relationship filed before the effective date of this Act is
18 governed by the law in effect on the date the suit was filed, and the
19 former law is continued in effect for that purpose.

20 SECTION 7. The authority provided by Section 45.005, Human
21 Resources Code, and Subsection (1), Section 264.106, Family Code,
22 as added by this Act, applies to a contract described by those
23 sections, regardless of whether the contract is executed before or
24 after September 1, 2011, and the authority does not expire on
25 September 1, 2012, notwithstanding the expiration of Chapter 45,
26 Human Resources Code.

27 SECTION 8. 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, 2007.