

By: Uresti

S.B. No. 872

A BILL TO BE ENTITLED

AN ACT

relating to the maximum amount of a monthly subsidy that may be paid under adoption assistance agreements for certain children with special needs.

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

SECTION 1. Section 162.304, Family Code, is amended by adding Subsection (g) to read as follows:

(g) The executive commissioner of the Health and Human Services Commission shall adopt rules providing that the maximum amount of the subsidy under Subsection (b) that may be paid to an adoptive parent of a child under an adoption assistance agreement is an amount that is equal to the amount of the foster care payment that would be provided for the child, based on the child's foster care service level on the date the department and the adoptive parent enter into the adoption assistance agreement, if the child remained in foster care on that date. This subsection applies only to a monthly subsidy paid under the adoption assistance agreement for a child:

(1) whose adoptive parent under the adoption assistance agreement had been the child's foster parent; and

(2) for whom the department, for a period of at least 18 months before entering into the adoption assistance agreement, exercised due diligence in attempting to locate an appropriate adoptive placement, but was unable to locate an appropriate

1 adoptive placement other than with the child's foster parent
2 described in Subdivision (1).

3 SECTION 2. Section 162.304(g), Family Code, as added by
4 this Act, applies only to an adoption assistance agreement that is
5 entered into on or after the effective date of this Act. An
6 adoption assistance agreement that was entered into before the
7 effective date of this Act is governed by the law in effect on the
8 date the agreement was entered into, and the former law is continued
9 in effect for that purpose.

10 SECTION 3. This Act takes effect September 1, 2007.