

1-1 By: Van de Putte S.B. No. 1723  
1-2 (In the Senate - Filed March 10, 2009; March 20, 2009, read  
1-3 first time and referred to Committee on Health and Human Services;  
1-4 May 5, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; May 5, 2009, sent  
1-6 to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1723 By: West

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to an informational manual for voluntary caregivers who  
1-11 provide temporary care for children who are the subject of an  
1-12 investigation by the Department of Family and Protective Services.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 261.3071, Family Code, is amended to  
1-15 read as follows:

1-16 Sec. 261.3071. INFORMATIONAL MANUALS. (a) In this  
1-17 section:

1-18 (1) "Designated caregiver" and~~[7]~~ "relative  
1-19 caregiver" ~~[and "designated caregiver"]~~ have the meanings assigned  
1-20 those terms by Section 264.751.

1-21 (2) "Voluntary caregiver" means a person who  
1-22 voluntarily agrees to provide temporary care for a child:

1-23 (A) who is the subject of an investigation by the  
1-24 department or whose parent, managing conservator, possessory  
1-25 conservator, guardian, caretaker, or custodian is receiving  
1-26 family-based safety services from the department;

1-27 (B) who is not in the conservatorship of the  
1-28 department; and

1-29 (C) who is placed in the care of the person by the  
1-30 parent or other person having legal custody of the child.

1-31 (b) The department shall develop and publish informational  
1-32 manuals that provide information for:

1-33 (1) a parent or other person having custody of a child  
1-34 who is the subject of an investigation under this chapter; ~~[and]~~

1-35 (2) a person who is selected by the department to be  
1-36 the child's relative or designated caregiver; and

1-37 (3) a voluntary caregiver.

1-38 (c) Information provided in the manuals must be in both  
1-39 English and Spanish and must include, as appropriate:

1-40 (1) useful indexes of information such as telephone  
1-41 numbers;

1-42 (2) the information required to be provided under  
1-43 Section 261.307(a)(1);

1-44 (3) information describing the rights and duties of a  
1-45 relative or designated caregiver; ~~[and]~~

1-46 (4) information regarding the relative and other  
1-47 designated caregiver program under Subchapter I, Chapter 264; and

1-48 (5) information regarding the role of a voluntary  
1-49 caregiver, including information on how to obtain any documentation  
1-50 necessary to provide for a child's needs.

1-51 SECTION 2. This Act takes effect immediately if it receives  
1-52 a vote of two-thirds of all the members elected to each house, as  
1-53 provided by Section 39, Article III, Texas Constitution. If this  
1-54 Act does not receive the vote necessary for immediate effect, this  
1-55 Act takes effect September 1, 2009.

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