

By: Van de Putte

S.B. No. 2061

A BILL TO BE ENTITLED

1 AN ACT

2 relating to financial assistance for voluntary caregivers of a
3 child during an investigation by the Department of Family and
4 Protective Services.

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

6 SECTION 1. The heading to Subchapter I, Chapter 264, Family
7 Code, is amended to read as follows:

8 SUBCHAPTER I. RELATIVE AND OTHER DESIGNATED CAREGIVER
9 PLACEMENT PROGRAM; VOLUNTARY PLACEMENT PROGRAM

10 SECTION 2. Section 264.751, Family Code, is amended by
11 adding Subdivision (4) to read as follows:

12 (4) "Voluntary caregiver" means a person with whom a
13 parent or other person with legal custody of a child who is the
14 subject of an investigation by the department under Chapter 261
15 voluntarily places the child to prevent the possible removal of the
16 child by the department.

17 SECTION 3. Subchapter I, Chapter 264, Family Code, is
18 amended by adding Section 264.7521 to read as follows:

19 Sec. 264.7521. VOLUNTARY CAREGIVER PLACEMENT PROGRAM. (a)
20 The department shall develop a program to:

21 (1) promote temporary stability for each child who is
22 not in the conservatorship of the department but is placed
23 voluntarily with a relative or other adult with whom the child has a
24 longstanding and significant relationship; and

1 (2) facilitate voluntary caregiver placements by
2 providing assistance and services to those caregivers.

3 (b) To be eligible for assistance and services under this
4 section, a voluntary caregiver must:

5 (1) provide voluntary care for at least 60 days; and

6 (2) meet additional eligibility criteria established
7 by rule.

8 (c) The executive commissioner shall adopt rules necessary
9 to implement this section. The rules must:

10 (1) include eligibility criteria for receiving
11 assistance and services under this section; and

12 (2) provide that assistance and services under this
13 section may be provided only while the department is conducting an
14 investigation of or providing family-based safety services to a
15 parent, managing conservator, possessory conservator, guardian,
16 caretaker, or custodian of the child.

17 SECTION 4. Sections 264.755(a) and (b), Family Code, are
18 amended to read as follows:

19 (a) The department shall, subject to the availability of
20 funds, enter into a caregiver assistance agreement with each
21 relative caregiver, ~~[or other]~~ designated caregiver, or voluntary
22 caregiver to provide monetary assistance and additional support
23 services to the caregiver. The monetary assistance and support
24 services shall be based on a family's need, as determined by rules
25 adopted by the executive commissioner.

26 (b) Monetary assistance provided under this section must
27 include a one-time cash payment of not more than \$1,000 to the

1 caregiver on the initial placement of a child or a sibling
2 group. The cash payment must be provided on the initial placement
3 of each child with the relative caregiver or designated caregiver,
4 or on the 60th day after the date the child is placed with a
5 voluntary caregiver, and is provided to assist the caregiver in
6 purchasing essential child-care items such as furniture and
7 clothing.

8 SECTION 5. This Act takes effect September 1, 2009.