

BILL ANALYSIS

C.S.H.B. 2560
By: Sheffield
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Some foster parents have expressed concern about a Department of Family and Protective Services rule that prohibits a foster parent from carrying a licensed concealed handgun in a vehicle where a foster child is present. The rule has the effect of preventing the parent of a foster child from exercising the right to carry a concealed handgun. C.S.H.B. 2560 seeks to protect this right by prohibiting the department from taking action to prohibit transportation of a foster child in a vehicle where a handgun is in the possession and control of a foster parent licensed to carry a concealed handgun.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2560 amends the Human Resources Code to prohibit the Department of Family and Protective Services from prohibiting the foster parent of a child who resides in the foster family's home from transporting the child in a vehicle where a handgun is in the possession and control of the foster parent and the foster parent is licensed to carry a concealed handgun.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 2560 differs from the original by making the prohibition against the Department of Family and Protective Services prohibiting a foster parent who holds a concealed handgun license from transporting a foster child in a vehicle where a handgun is in the foster parent's possession and control apply to the foster parent of a child who resides in the foster family's home, rather than the foster parent of a child who resides in a family home, as in the original.