

AN ACT

relating to an agreement authorizing certain persons to make decisions regarding a child during an investigation of child abuse or neglect.

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

SECTION 1. Section 34.001, Family Code, is amended to read as follows:

Sec. 34.001. APPLICABILITY. This chapter applies only to:

(1) an authorization agreement between a parent of a child and a person who is the child's:

(A) [~~(1)~~] grandparent;

(B) [~~(2)~~] adult sibling; or

(C) [~~(3)~~] adult aunt or uncle; and

(2) an authorization agreement between a parent of a child and the person with whom the child is placed under a parental child safety placement agreement.

SECTION 2. Section 34.002(c), Family Code, is amended to read as follows:

(c) An authorization agreement under this chapter does not confer on a relative of the child listed in Section 34.001 or a relative or other person with whom the child is placed under a child safety placement agreement the right to authorize the performance of an abortion on the child or the administration of emergency contraception to the child.

1 SECTION 3. Chapter 34, Family Code, is amended by adding  
2 Section 34.0021 to read as follows:

3 Sec. 34.0021. AUTHORIZATION AGREEMENT BY PARENT IN CHILD  
4 PROTECTIVE SERVICES CASE. A parent may enter into an authorization  
5 agreement with a relative or other person with whom a child is  
6 placed under a parental child safety placement agreement approved  
7 by the Department of Family and Protective Services to allow the  
8 person to perform the acts described by Section 34.002(a) with  
9 regard to the child:

- 10 (1) during an investigation of abuse or neglect; or  
11 (2) while the department is providing services to the  
12 parent.

13 SECTION 4. This Act takes effect September 1, 2011.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 848 was passed by the House on March 30, 2011, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 848 on May 16, 2011, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 848 was passed by the Senate, with amendments, on May 13, 2011, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor