

By: Farias

H.B. No. 1099

A BILL TO BE ENTITLED

AN ACT

relating to creating an advisory committee on child protective services in the region that includes Bexar County for the Department of Family and Protective Services.

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

SECTION 1. Chapter 40, Human Resources Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. BEXAR COUNTY CHILD PROTECTIVE SERVICES ADVISORY

COUNCIL

Sec. 40.121. BEXAR COUNTY CHILD PROTECTIVE SERVICES ADVISORY COUNCIL. (a) The Bexar County Child Protective Services Advisory Council is an advisory committee to the department. The council shall advise and make recommendations to the department on any matter relating to the provision of child protective services in the department region that includes Bexar County, and the department shall give due consideration to the council's advice and recommendations. The council shall support the department's mission and goals in the department region that includes Bexar County by providing a regular forum for the discussion and resolution of region-specific issues, concerns, and recommendations.

(b) The Bexar County Child Protective Services Advisory Council consists of:

(1) the Bexar County Judges Advisory Council; and

1 (2) the Bexar County Advocates Advisory Council.

2 Sec. 40.122. BEXAR COUNTY JUDGES ADVISORY COUNCIL. (a) The
3 Bexar County Judges Advisory Council consists of:

4 (1) the judge of each court in the county having
5 jurisdiction over child abuse and neglect cases and proceedings;

6 (2) the judge with supervisory authority over the
7 courts in the county having jurisdiction over child abuse and
8 neglect cases and proceedings;

9 (3) the department's director for the region that
10 includes Bexar County; and

11 (4) the following five individuals designated by the
12 department from the department region that includes Bexar County:

13 (A) an individual who has responsibility for and
14 expertise regarding contract monitoring;

15 (B) an individual who has responsibility for and
16 expertise regarding licensing and regulation of child-care
17 facilities;

18 (C) an individual who has responsibility for and
19 expertise regarding investigations;

20 (D) an individual who has responsibility for and
21 expertise regarding family-based safety services; and

22 (E) an individual who has responsibility for and
23 expertise regarding conservatorship and foster care.

24 (b) The Bexar County Judges Advisory Council shall elect a
25 presiding officer from its members.

26 (c) The Bexar County Judges Advisory Council shall adopt
27 bylaws under which it shall operate.

1 Sec. 40.123. BEXAR COUNTY ADVOCATES ADVISORY COUNCIL. (a)

2 The Bexar County Advocates Advisory Council consists of the
3 following eight members:

4 (1) a member of the Bexar County Child Welfare Board;

5 (2) an advocate for foster care youth and child
6 welfare in the department region that includes Bexar County;

7 (3) a former foster child;

8 (4) a foster care provider;

9 (5) a member of an organization that provides mental
10 health, developmental disability, and substance abuse services in
11 Bexar County;

12 (6) a member of a research and advocacy organization
13 on children's issues, including abuse and neglect, basic needs,
14 early care and education, and health care;

15 (7) a member of an organization that provides a home to
16 children who have suffered abuse or neglect and counseling for
17 families in crisis; and

18 (8) a member of an organization that provides
19 court-appointed special advocates for abused or neglected
20 children.

21 (b) Members of the advocates advisory council must be
22 residents of or maintain full-time employment in Bexar County.

23 (c) The presiding officer of the Bexar County Judges
24 Advisory Council shall appoint the members of the Bexar County
25 Advocates Advisory Council on consideration of recommendations
26 made by advocates for foster care youth and child welfare in the
27 department region that includes Bexar County.

1 Sec. 40.124. MEETINGS. (a) The Bexar County Judges
2 Advisory Council shall meet quarterly at the call of the presiding
3 officer.

4 (b) The Bexar County Advocates Advisory Council shall meet
5 quarterly with the judges on the Bexar County Judges Advisory
6 Council. The purpose of the quarterly meetings is to provide the
7 child protective services advocates in the department region that
8 includes Bexar County the opportunity to bring to the attention of
9 the judges on the Bexar County Judges Advisory Council any
10 concerns, questions, and recommendations the advocates have
11 regarding the department's policies and procedures that impact
12 foster care youth or foster care providers or other child
13 protective service providers in the department region that includes
14 Bexar County.

15 (c) The quarterly meeting between the judges on the Bexar
16 County Judges Advisory Council and the Bexar County Advocates
17 Advisory Council must occur not more than 21 days or less than 14
18 days before the date of the next quarterly meeting of the Bexar
19 County Judges Advisory Council.

20 (d) The Bexar County Advocates Advisory Council must submit
21 any concerns, questions, and recommendations it presented to the
22 judges at the meeting described by Subsection (b) in writing not
23 later than the seventh day before the date of the next quarterly
24 meeting of the Bexar County Judges Advisory Council.

25 (e) The judges on the Bexar County Judges Advisory Council
26 shall present the judges' questions, concerns, and recommendations
27 and those of the Bexar County Advocates Advisory Council in writing

1 to the other members of the Bexar County Judges Advisory Council at
2 the judges advisory council's next quarterly meeting.

3 (f) The presiding officer of the Bexar County Judges
4 Advisory Council shall coordinate and facilitate all quarterly
5 meetings under this section. The department shall designate a
6 staff person to serve as the liaison to the Bexar County Child
7 Protective Services Advisory Council to assist in scheduling the
8 quarterly meetings.

9 (g) The members of the Bexar County Judges Advisory Council
10 shall attend the quarterly meetings of the judges advisory council.
11 Judges serving on the judges advisory council shall also attend the
12 quarterly meetings with the advocates advisory council.

13 (h) The members of the Bexar County Advocates Advisory
14 Council shall attend each quarterly meeting of the advocates
15 advisory council. A member of the Bexar County Advocates Advisory
16 Council who fails to attend a quarterly meeting of the advocates
17 advisory council is considered to have resigned the member's
18 position on the council effective on the date of the meeting unless
19 the member receives prior approval for the member's absence from
20 the presiding officer of the Bexar County Judges Advisory Council.
21 A vacancy created by a resignation under this subsection shall be
22 filled as provided by Section 40.123.

23 Sec. 40.125. DEPARTMENT'S DUTIES. (a) The department
24 employees who serve on the Bexar County Judges Advisory Council
25 shall report the issues, concerns, and recommendations of the
26 council to the department personnel who have authority to consider
27 the issues, concerns, and recommendations and determine whether any

1 change in department policy or practice is necessary to effectively
2 address those issues, concerns, or recommendations.

3 (b) The department shall consider the issues, concerns, and
4 recommendations presented to the department by the Bexar County
5 Judges Advisory Council and respond to those issues, concerns, and
6 recommendations not later than the 30th day after the date the
7 issue, concern, or recommendation is raised in a quarterly meeting
8 of the council. The department's written response must include the
9 department's rationale for its policies and for any action the
10 department takes or does not take in response to the council's
11 issues, concerns, and recommendations.

12 SECTION 2. Not later than December 1, 2011, the judge with
13 supervisory authority over the courts in Bexar County having
14 jurisdiction over child abuse and neglect cases and proceedings
15 shall call the first meeting of the Bexar County Judges Advisory
16 Council. The Bexar County Judges Advisory Council members shall
17 elect a presiding officer at the first meeting.

18 SECTION 3. This Act takes effect September 1, 2011.