

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Sheffield, Driver, Legler, et al.

H.B. No. 2560

### A BILL TO BE ENTITLED

### AN ACT

1  
2 relating to transporting a foster child in a vehicle where a handgun  
3 is in the possession of a foster parent licensed to carry a  
4 concealed handgun.

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

6 SECTION 1. Section 42.042, Human Resources Code, is amended  
7 by adding Subsection (e-2) to read as follows:

8 (e-2) The department may not prohibit the foster parent of a  
9 child who resides in the foster family's home from transporting the  
10 child in a vehicle where a handgun is present if the handgun is in  
11 the possession and control of the foster parent and the foster  
12 parent is licensed to carry the handgun under Subchapter H, Chapter  
13 411, Government Code.

14 SECTION 2. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2011.

**ADOPTED**

MAY 23 2011

FLOOR AMENDMENT NO. 1

*Atay Lew*  
Secretary of the Senate

BY: *[Signature]*

1 Amend H.B. 2560 , in SECTION 1 of the bill (senate  
2 committee report page 1, lines ~~16-17~~<sup>18-19</sup>) by striking "in the  
3 possession and control" and substituting "concealed on the  
4 person".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 24, 2011**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2560** by Sheffield (Relating to transporting a foster child in a vehicle where a handgun is in the possession of a foster parent licensed to carry a concealed handgun. ), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would 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 present under certain circumstances. The agency indicates any cost to implement provisions of the bill would be minimal and can be absorbed within available resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** JOB, ESi, MB, NM, VJC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 19, 2011**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2560** by Sheffield (Relating to transporting a foster child in a vehicle where a handgun is in the possession of a foster parent licensed to carry a concealed handgun.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

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**LBB Staff:** JOB, ESi, MB, NM, VJC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**April 7, 2011**

**TO:** Honorable Sid Miller, Chair, House Committee on Homeland Security & Public Safety

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2560** by Sheffield (Relating to transporting a foster child in a vehicle where a handgun is in the possession of a foster parent licensed to carry a concealed handgun. ), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

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No fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** JOB, ESi, MB, NM, VJC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**March 28, 2011**

**TO:** Honorable Sid Miller, Chair, House Committee on Homeland Security & Public Safety

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB2560** by Sheffield (Relating to transporting a foster child in a vehicle where a handgun is in the possession of a person licensed to carry a concealed handgun.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would prohibit the Department of Family and Protective Services from prohibiting the foster parent of a child who resides in a family home from transporting the child in a vehicle where a handgun is present under certain circumstances. The agency indicates any cost to implement provisions of the bill would be minimal and can be absorbed within available resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** JOB, ESi, MB, NM, VJC