

BILL ANALYSIS

S.B. 428
By: Nelson
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, child-care facilities and child-placing agencies are required to conduct background checks on people who may visit the facility or foster home. The Department of Family and Protective Services (DFPS) also conducts background checks on biological parents as part of its investigation. Interested parties note that such practices result in duplicative checks on birth parents who visit their children at a facility or foster home. S.B. 428 seeks to address this issue by amending current law relating to background and criminal history checks for parents or other relatives of children in residential child-care facilities.

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

S.B. 428 amends the Human Resources Code to establish that the director, owner, or operator of a residential child-care facility is not required to submit to the Department of Family and Protective Services (DFPS) the information required for use in conducting a background and criminal history check on a parent or other relative of a child who is a client in care at the facility if DFPS has on file for the parent or relative a background and criminal history check and the background and criminal history check was conducted within the two-year period preceding the date the parent or relative visits the client at the facility.

EFFECTIVE DATE

September 1, 2013.