

By: Lucio III, N. Gonzalez of El Paso, Ashby

H.B. No. 843

Substitute the following for H.B. No. 843:

By: Raymond

C.S.H.B. No. 843

A BILL TO BE ENTITLED

1 AN ACT

2 relating to persons entitled to notice of and to participation in  
3 certain hearings regarding a child in the conservatorship of the  
4 state.

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

6 SECTION 1. Section 263.301(b), Family Code, is amended to  
7 read as follows:

8 (b) The following persons are entitled to at least 10 days'  
9 notice of a permanency hearing and are entitled to present evidence  
10 and be heard at the hearing:

11 (1) the department;

12 (2) the foster parent, preadoptive parent, relative of  
13 the child providing care, or director of the group home or  
14 institution where the child is residing;

15 (3) each parent of the child;

16 (4) the managing conservator or guardian of the child;

17 (5) an attorney ad litem appointed for the child under  
18 Chapter 107;

19 (6) a volunteer advocate appointed for the child under  
20 Chapter 107; ~~and~~

21 (7) the child if:

22 (A) the child is 10 years of age or older; or

23 (B) the court determines it is appropriate for

24 the child to receive notice; and

1           (8) any other person or agency named by the court to  
2 have an interest in the child's welfare.

3           SECTION 2. Section 263.501(d), Family Code, is amended to  
4 read as follows:

5           (d) The following are entitled to not less than 10 days'  
6 notice of a placement review hearing and are entitled to present  
7 evidence and be heard at the hearing:

8                   (1) the department;

9                   (2) the foster parent, preadoptive parent, relative of  
10 the child providing care, or director of the group home or  
11 institution in which the child is residing;

12                   (3) each parent of the child;

13                   (4) each possessory conservator or guardian of the  
14 child;

15                   (5) the child's attorney ad litem and volunteer  
16 advocate, if the appointments were not dismissed in the final  
17 order; ~~and~~

18                   (6) the child if:

19                                   (A) the child is 10 years of age or older; or

20                                   (B) the court determines it is appropriate for  
21 the child to receive notice; and

22                   (7) any other person or agency named by the court as  
23 having an interest in the child's welfare.

24           SECTION 3. The change in law made by this Act applies only  
25 to a hearing held on or after September 10, 2013. A hearing held  
26 before that date is governed by the law as it existed immediately  
27 before the effective date of this Act, and that law is continued in

1 effect for that purpose.

2 SECTION 4. This Act takes effect September 1, 2013.