

1-1 By: Lucio III, N. Gonzalez of El Paso, Fallon H.B. No. 843
1-2 (Senate Sponsor - Lucio)
1-3 (In the Senate - Received from the House May 3, 2013;
1-4 May 6, 2013, read first time and referred to Committee on
1-5 Jurisprudence; May 16, 2013, reported favorably by the following
1-6 vote: Yeas 4, Nays 0; May 16, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15			X	

1-16 A BILL TO BE ENTITLED
1-17 AN ACT

1-18 relating to persons entitled to notice of and to participation in
1-19 certain hearings regarding a child in the conservatorship of the
1-20 state.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 263.301(b), Family Code, is amended to
1-23 read as follows:

1-24 (b) The following persons are entitled to at least 10 days'
1-25 notice of a permanency hearing and are entitled to present evidence
1-26 and be heard at the hearing:

1-27 (1) the department;

1-28 (2) the foster parent, preadoptive parent, relative of
1-29 the child providing care, or director of the group home or
1-30 institution where the child is residing;

1-31 (3) each parent of the child;

1-32 (4) the managing conservator or guardian of the child;

1-33 (5) an attorney ad litem appointed for the child under
1-34 Chapter 107;

1-35 (6) a volunteer advocate appointed for the child under
1-36 Chapter 107; ~~and~~

1-37 (7) the child if:

1-38 (A) the child is 10 years of age or older; or

1-39 (B) the court determines it is appropriate for
1-40 the child to receive notice; and

1-41 (8) any other person or agency named by the court to
1-42 have an interest in the child's welfare.

1-43 SECTION 2. Section 263.501(d), Family Code, is amended to
1-44 read as follows:

1-45 (d) The following are entitled to not less than 10 days'
1-46 notice of a placement review hearing and are entitled to present
1-47 evidence and be heard at the hearing:

1-48 (1) the department;

1-49 (2) the foster parent, preadoptive parent, relative of
1-50 the child providing care, or director of the group home or
1-51 institution in which the child is residing;

1-52 (3) each parent of the child;

1-53 (4) each possessory conservator or guardian of the
1-54 child;

1-55 (5) the child's attorney ad litem and volunteer
1-56 advocate, if the appointments were not dismissed in the final
1-57 order; ~~and~~

1-58 (6) the child if:

1-59 (A) the child is 10 years of age or older; or

1-60 (B) the court determines it is appropriate for
1-61 the child to receive notice; and

2-1 (7) any other person or agency named by the court as
2-2 having an interest in the child's welfare.

2-3 SECTION 3. The change in law made by this Act applies only
2-4 to a hearing held on or after September 10, 2013. A hearing held
2-5 before that date is governed by the law as it existed immediately
2-6 before the effective date of this Act, and that law is continued in
2-7 effect for that purpose.

2-8 SECTION 4. This Act takes effect September 1, 2013.

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