

By: Cortez

H.B. No. 1180

A BILL TO BE ENTITLED

AN ACT

relating to foster care placement decisions made by the Department of Family and Protective Services.

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

SECTION 1. Section 264.107, Family Code, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e) In making placement decisions, the department shall:

(1) consult with:

(A) the child's caseworker; and

(B) except when making an emergency placement that does not allow time for the required consultations, the child's attorney ad litem and [7] guardian ad litem and with any[7 or] court-appointed volunteer advocate for the child [when possible]; and

(2) use clinical protocols to match a child to the most appropriate placement resource.

(e-1) If the department is not able to consult with an individual listed in Subsection (e)(1)(B) before the department makes a placement decision, the department, not later than the day after the placement is made, shall notify and consult with that individual regarding the placement.

SECTION 2. Section 264.107, Family Code, as amended by this Act, applies only to a foster care placement decision made by the

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1 Department of Family and Protective Services on or after the
2 effective date of this Act.

3 SECTION 3. This Act takes effect September 1, 2013.