

1-1 By: West S.B. No. 534  
 1-2 (In the Senate - Filed February 12, 2013; February 20, 2013,  
 1-3 read first time and referred to Committee on Health and Human  
 1-4 Services; March 26, 2013, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;  
 1-6 March 26, 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	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 534 By: West

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to requiring permanency planning meetings for certain  
 1-22 children in the conservatorship of the Department of Family and  
 1-23 Protective Services.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. The heading to Chapter 263, Family Code, is  
 1-26 amended to read as follows:

1-27 CHAPTER 263. REVIEW OF PLACEMENT OF CHILDREN UNDER CARE OF  
 1-28 DEPARTMENT OF FAMILY AND PROTECTIVE [AND REGULATORY] SERVICES

1-29 SECTION 2. Subchapter A, Chapter 263, Family Code, is  
 1-30 amended by adding Section 263.009 to read as follows:

1-31 Sec. 263.009. PERMANENCY PLANNING MEETINGS. (a) The  
 1-32 department shall hold a permanency planning meeting for each child  
 1-33 for whom the department is appointed temporary managing  
 1-34 conservator:

1-35 (1) not later than the 45th day after the date the  
 1-36 department is named temporary managing conservator of the child;  
 1-37 and

1-38 (2) not later than five months after the date the  
 1-39 department is named temporary managing conservator of the child.

1-40 (b) The department may hold a permanency planning meeting at  
 1-41 any time after the five-month permanency planning meeting described  
 1-42 by Subsection (a)(2) and before a final order is rendered under  
 1-43 Subchapter E.

1-44 (c) At the five-month permanency planning meeting described  
 1-45 by Subsection (a)(2), the department shall:

1-46 (1) identify any barriers to achieving a timely  
 1-47 permanent placement for the child; and

1-48 (2) develop strategies and determine actions that will  
 1-49 increase the probability of achieving a timely permanent placement  
 1-50 for the child.

1-51 (d) The five-month permanency planning meeting described by  
 1-52 Subsection (a)(2) and any subsequent permanency planning meeting  
 1-53 may be conducted as a multidisciplinary permanency planning meeting  
 1-54 if the department determines that a multidisciplinary permanency  
 1-55 planning meeting will assist the department in placing the child  
 1-56 with an adult caregiver who will permanently assume legal  
 1-57 responsibility for the child and facilitate the child's exit from  
 1-58 the conservatorship of the department.

1-59 (e) Except as provided by Subsection (f), the department  
 1-60 shall make reasonable efforts to include the following persons in

2-1 each multidisciplinary permanency planning meeting and notify  
2-2 those persons of the meeting:  
2-3 (1) the child, if the child is at least seven years of  
2-4 age;  
2-5 (2) the child's attorney ad litem;  
2-6 (3) the child's guardian ad litem;  
2-7 (4) any court-appointed volunteer advocate for the  
2-8 child;  
2-9 (5) the child's substitute care provider and any  
2-10 child-placing agency involved with the child;  
2-11 (6) each of the child's parents and the parents'  
2-12 attorney, unless:  
2-13 (A) the parent cannot be located;  
2-14 (B) the parent has executed an affidavit of  
2-15 relinquishment of parental rights; or  
2-16 (C) the parent's parental rights have been  
2-17 terminated;  
2-18 (7) each attorney ad litem appointed to represent the  
2-19 interests of a parent in the suit; and  
2-20 (8) any other person the department determines should  
2-21 attend the permanency planning meeting.  
2-22 (f) The department is not required to include a person  
2-23 listed in Subsection (e) in a multidisciplinary permanency planning  
2-24 meeting or to notify that person of a meeting if the department or  
2-25 its authorized designee determines that the person's presence at  
2-26 the meeting may have a detrimental effect on:  
2-27 (1) the safety or well-being of another participant in  
2-28 the meeting; or  
2-29 (2) the success of the meeting because a parent or the  
2-30 child has expressed an unwillingness to include that person in the  
2-31 meeting.  
2-32 (g) The department shall give the notice required by  
2-33 Subsection (e) by e-mail if possible.  
2-34 SECTION 3. Section 263.009, Family Code, as added by this  
2-35 Act, applies only to a child placed in the temporary managing  
2-36 conservatorship of the Department of Family and Protective Services  
2-37 on or after the effective date of this Act.  
2-38 SECTION 4. This Act takes effect September 1, 2013.

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