

By: Ellis

S.B. No. 1583

A BILL TO BE ENTITLED

AN ACT

1
2 relating to extending the court's jurisdiction in a suit affecting
3 the parent-child relationship over certain young people for
4 purposes of obtaining special immigrant juvenile status and
5 Department of Family and Protective Services policies for handling
6 cases involving those young people.

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

8 SECTION 1. Section 101.003, Family Code, is amended by
9 adding Subsection (b-1) to read as follows:

10 (b-1) In the context of applying for a court order relating
11 to the special immigrant juvenile status of a person under Section
12 1101(a)(27)(J) of the federal Immigration and Nationality Act (8
13 U.S.C. Section 1101 et seq.), "child" or "minor" includes a person
14 who is:

15 (1) not a citizen of the United States;

16 (2) present in the United States;

17 (3) not married;

18 (4) under 21 years of age; and

19 (5) applying for a special immigrant juvenile visa.

20 SECTION 2. Chapter 102, Family Code, is amended by adding
21 Section 102.0115 to read as follows:

22 Sec. 102.0115. JURISDICTION IN CASES INVOLVING SPECIAL
23 IMMIGRANT JUVENILE STATUS. The court has jurisdiction over a
24 person with respect to issues relating to the person's special

1 immigrant juvenile status if the person has filed an application
2 with the appropriate federal authority seeking special immigrant
3 juvenile status as defined by Section 1101(a)(27)(J) of the federal
4 Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.) for
5 the person.

6 SECTION 3. Subchapter A, Chapter 155, Family Code, is
7 amended by adding Section 155.006 to read as follows:

8 Sec. 155.006. EXTENDED JURISDICTION. (a) If an
9 application seeking special immigrant juvenile status as defined by
10 Section 1101(a)(27)(J) of the federal Immigration and Nationality
11 Act (8 U.S.C. Section 1101 et seq.) has been filed with the
12 appropriate federal authority on behalf of a child over whom the
13 court has continuing, exclusive jurisdiction, the court may extend
14 the court's jurisdiction over the child after the child's 18th
15 birthday until the earliest of:

16 (1) the child's 21st birthday;

17 (2) the date the child is granted lawful permanent
18 resident status;

19 (3) the date an appeal of the denial of an application
20 for permanent residency based on a petition for special immigrant
21 juvenile status is denied; or

22 (4) if an appeal described by Subdivision (3) is not
23 filed, the day after the last day to file an appeal of the denial of
24 an application for permanent residency based on a petition for
25 special immigrant juvenile status.

26 (b) The court's jurisdiction under this section is limited
27 to issues relating to the child's special immigrant juvenile

1 status.

2 SECTION 4. Subchapter C, Chapter 40, Human Resources Code,
3 is amended by adding Section 40.0529 to read as follows:

4 Sec. 40.0529. CASES INVOLVING IMMIGRANT CHILDREN. (a) The
5 department shall ensure that all cases in which the child is
6 categorized as having an undetermined immigration status in the
7 central registry of reported cases of child abuse or neglect
8 established under Section 261.002, Family Code, are assigned to
9 caseworkers who have experience preparing applications for special
10 immigrant juvenile status and legal permanent resident status.

11 (b) The executive commissioner shall adopt rules that
12 prohibit caseworkers from seeking a waiver from any fees associated
13 with completing and filing an application for legal permanent
14 resident status.

15 SECTION 5. This Act takes effect September 1, 2013.