

AN ACT

relating to certain reporting requirements of the Department of Family and Protective Services regarding child protection, including reporting information for certain foster children who are missing or are victims of sex trafficking.

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

SECTION 1. Subchapter A, Chapter 264, Family Code, is amended by adding Section 264.017 to read as follows:

Sec. 264.017. REQUIRED REPORTING. (a) The department shall prepare and disseminate a report of statistics by county relating to key performance measures and data elements for child protection.

(b) The department shall provide the report required by Subsection (a) to the legislature and shall publish the report and make the report available electronically to the public not later than February 1 of each year. The report must include, with respect to the preceding year:

(1) information on the number and disposition of reports of child abuse and neglect received by the department;

(2) information on the number of clients for whom the department took protective action, including investigations, alternative responses, and court-ordered removals;

(3) information on the number of clients for whom the department provided services in each program administered by the

1 child protective services division, including investigations,
2 alternative responses, family-based safety services,
3 conservatorship, post-adoption services, and transitional living
4 services;

5 (4) the number of children in this state who died as a
6 result of child abuse or neglect;

7 (5) the number of children described by Subdivision
8 (4) for whom the department was the children's managing conservator
9 at the time of death;

10 (6) information on the timeliness of the department's
11 initial contact in an investigation or alternative response;

12 (7) information on the response time by the department
13 in commencing services to families and children for whom an
14 allegation of child abuse or neglect has been made;

15 (8) information regarding child protection staffing
16 and caseloads by program area;

17 (9) information on the permanency goals in place and
18 achieved for children in the managing conservatorship of the
19 department, including information on the timeliness of achieving
20 the goals, the stability of the children's placement in foster
21 care, and the proximity of placements to the children's home
22 counties; and

23 (10) the number of children who suffer from a severe
24 emotional disturbance and for whom the department is appointed
25 managing conservator, including statistics on appointments as
26 joint managing conservator, due to an individual voluntarily
27 relinquishing custody of a child solely to obtain mental health

1 services for the child.

2 (c) Not later than September 1 of each year, the department
3 shall seek public input regarding the usefulness of, and any
4 proposed modifications to, existing reporting requirements and
5 proposed additional reporting requirements. The department shall
6 evaluate the public input provided under this subsection and seek
7 to facilitate reporting to the maximum extent feasible within
8 existing resources and in a manner that is most likely to assist
9 public understanding of department functions.

10 (d) In addition to the information required under
11 Subsections (a) and (b), the department shall annually publish
12 information on the number of children who died during the preceding
13 year whom the department determined had been abused or neglected
14 but whose death was not the result of the abuse or neglect. The
15 department may publish the information described by this subsection
16 in the same report required by Subsection (a) or in another annual
17 report published by the department.

18 SECTION 2. The heading to Section 264.123, Family Code, is
19 amended to read as follows:

20 Sec. 264.123. REPORTS CONCERNING CHILDREN WHO ARE MISSING
21 OR VICTIMS OF SEX TRAFFICKING [~~CHILD~~].

22 SECTION 3. Section 264.123, Family Code, is amended by
23 amending Subsection (f) and adding Subsections (g) and (h) to read
24 as follows:

25 (f) After a missing child returns to the child's substitute
26 care provider, the department shall interview the child to
27 determine the reasons why the child was missing, ~~and~~ where the

1 child stayed during the time the child was missing, and whether,
2 while missing, the child was a victim of conduct that constitutes an
3 offense under Section 20A.02(a)(7), Penal Code. The department
4 shall report to an appropriate law enforcement agency any
5 disclosure made by a child that indicates that the child was the
6 victim of a crime during the time the child was missing. The
7 department shall make a report under this subsection not later than
8 24 hours after the time the disclosure is made. The department is
9 not required to interview a missing child under this subsection if,
10 at the time the child returns, the department knows that the child
11 was abducted and another agency is investigating the abduction.

12 (g) The department shall collect information on each child
13 in the department's managing conservatorship who is missing from
14 the child's substitute care provider and on each child who, while in
15 the department's managing conservatorship, is a victim of conduct
16 that constitutes an offense under Section 20A.02(a)(7), Penal Code.
17 The collected information must include information on:

18 (1) whether the managing conservatorship of the
19 department is temporary or permanent;

20 (2) the type of substitute care in which the child is
21 placed; and

22 (3) the child's sex, age, race, and ethnicity and the
23 department region in which the child resides.

24 (h) The department shall prepare an annual report on the
25 information collected under Subsection (g) and make the report
26 available on the department's Internet website. The report may not
27 include any individually identifiable information regarding a

1 child who is the subject of information in the report.

2 SECTION 4. Sections 261.004 and 264.111, Family Code, are
3 repealed.

4 SECTION 5. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 1217 was passed by the House on April 16, 2015, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1217 on May 26, 2015, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1217 was passed by the Senate, with amendments, on May 22, 2015, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor