

By: Rodríguez

S.B. No. 821

A BILL TO BE ENTITLED

1 AN ACT

2 relating to references to school in the Family Code.

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

4 SECTION 1. Section 34.002(a), Family Code, is amended to  
5 read as follows:

6 (a) A parent or both parents of a child may enter into an  
7 authorization agreement with a relative of the child listed in  
8 Section 34.001 to authorize the relative to perform the following  
9 acts in regard to the child:

10 (1) to authorize medical, dental, psychological, or  
11 surgical treatment and immunization of the child, including  
12 executing any consents or authorizations for the release of  
13 information as required by law relating to the treatment or  
14 immunization;

15 (2) to obtain and maintain health insurance coverage  
16 for the child and automobile insurance coverage for the child, if  
17 appropriate;

18 (3) to enroll the child in a day-care program or  
19 preschool or in a public or private elementary [~~primary~~] or  
20 secondary school;

21 (4) to authorize the child to participate in  
22 age-appropriate extracurricular, civic, social, or recreational  
23 activities, including athletic activities;

24 (5) to authorize the child to obtain a learner's

1 permit, driver's license, or state-issued identification card;

2 (6) to authorize employment of the child; and

3 (7) to apply for and receive public benefits on behalf  
4 of the child.

5 SECTION 2. Section 101.028, Family Code, is amended to read  
6 as follows:

7 Sec. 101.028. SCHOOL. "School" means an elementary [~~a~~  
8 ~~primary~~] or secondary school in which a child is enrolled or, if the  
9 child is not enrolled in an elementary [~~a primary~~] or secondary  
10 school, the public school district in which the child primarily  
11 resides. For purposes of this section, a reference to elementary  
12 school includes prekindergarten.

13 SECTION 3. Section 153.3101, Family Code, is amended to  
14 read as follows:

15 Sec. 153.3101. REFERENCE TO "SCHOOL" IN STANDARD POSSESSION  
16 ORDER. In a standard possession order, "school" means the  
17 elementary [~~primary~~] or secondary school in which the child is  
18 enrolled or, if the child is not enrolled in an elementary [~~a~~  
19 ~~primary~~] or secondary school, the public school district in which  
20 the child primarily resides.

21 SECTION 4. Section 261.105(d), Family Code, is amended to  
22 read as follows:

23 (d) If the department initiates an investigation and  
24 determines that the abuse or neglect does not involve a person  
25 responsible for the child's care, custody, or welfare, the  
26 department shall refer the report to a law enforcement agency for  
27 further investigation. If the department determines that the abuse

1 or neglect involves an employee of a public elementary [~~primary~~] or  
2 secondary school, and that the child is a student at the school, the  
3 department shall orally notify the superintendent of the school  
4 district in which the employee is employed about the investigation.

5 SECTION 5. The changes in law made by this Act are  
6 nonsubstantive and intended to conform references to "school" in  
7 the Family Code to usage in other law.

8 SECTION 6. This Act takes effect September 1, 2015.