

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Thompson of Harris

H.B. No. 1217

A BILL TO BE ENTITLED

1 AN ACT

2 relating to reporting information for certain foster children who  
3 are missing or are victims of sex trafficking.

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

5 SECTION 1. The heading to Section 264.123, Family Code, is  
6 amended to read as follows:

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

9 SECTION 2. Section 264.123, Family Code, is amended by  
10 amending Subsection (f) and adding Subsections (g) and (h) to read  
11 as follows:

12 (f) After a missing child returns to the child's substitute  
13 care provider, the department shall interview the child to  
14 determine the reasons why the child was missing, ~~and~~ where the  
15 child stayed during the time the child was missing, and whether,  
16 while missing, the child was a victim of conduct that constitutes an  
17 offense under Section 20A.02(a)(7), Penal Code. The department  
18 shall report to an appropriate law enforcement agency any  
19 disclosure made by a child that indicates that the child was the  
20 victim of a crime during the time the child was missing. The  
21 department shall make a report under this subsection not later than  
22 24 hours after the time the disclosure is made. The department is  
23 not required to interview a missing child under this subsection if,  
24 at the time the child returns, the department knows that the child

1 was abducted and another agency is investigating the abduction.

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

8 (1) whether the managing conservatorship of the  
9 department is temporary or permanent;

10 (2) the type of substitute care in which the child is  
11 placed; and

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

14 (h) The department shall prepare an annual report on the  
15 information collected under Subsection (g) and make the report  
16 available on the department's Internet website. The report may not  
17 include any individually identifiable information regarding a  
18 child who is the subject of information in the report.

19 SECTION 3. This Act takes effect September 1, 2015.

# ADOPTED

MAY 22 2015

*Atalay D. Davis*  
Secretary of the Senate

BY:

*[Signature]*

FLOOR AMENDMENT NO. 1

1 Amend H.B. No. 1217 (senate committee printing) by adding  
2 the following appropriately numbered SECTIONS to the bill and  
3 renumbering SECTIONS of the bill accordingly:

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

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

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

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

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

20 (3) information on the number of clients for whom the  
21 department provided services in each program administered by the  
22 child protective services division, including investigations,  
23 alternative responses, family-based safety services,  
24 conservatorship, post-adoption services, and transitional living  
25 services;

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

28 (5) the number of children described by Subdivision  
29 (4) for whom the department was the children's managing

1 conservator at the time of death;

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

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

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

9 (9) information on the permanency goals in place and  
10 achieved for children in the managing conservatorship of the  
11 department, including information on the timeliness of achieving  
12 the goals, the stability of the children's placement in foster  
13 care, and the proximity of placements to the children's home  
14 counties; and

15 (10) the number of children who suffer from a severe  
16 emotional disturbance and for whom the department is appointed  
17 managing conservator, including statistics on appointments as  
18 joint managing conservator, due to an individual voluntarily  
19 relinquishing custody of a child solely to obtain mental health  
20 services for the child.

21 (c) Not later than September 1 of each year, the  
22 department shall seek public input regarding the usefulness of,  
23 and any proposed modifications to, existing reporting  
24 requirements and proposed additional reporting requirements.  
25 The department shall evaluate the public input provided under  
26 this subsection and seek to facilitate reporting to the maximum  
27 extent feasible within existing resources and in a manner that  
28 is most likely to assist public understanding of department  
29 functions.

30 (d) In addition to the information required under  
31 Subsections (a) and (b), the department shall annually publish

1 information on the number of children who died during the  
2 preceding year whom the department determined had been abused or  
3 neglected but whose death was not the result of the abuse or  
4 neglect. The department may publish the information described  
5 by this subsection in the same report required by Subsection (a)  
6 or in another annual report published by the department.

7 SECTION \_\_. Sections 261.004 and 264.111, Family Code, are  
8 repealed.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 23, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB1217** by Thompson, Senfronia (Relating to reporting information for certain foster children who are missing or are victims of sex trafficking.), **As Passed 2nd House**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Family Code as it relates to reporting information for certain foster children who are missing or are victims of sex trafficking. The bill would also amend the Family Code to require the Department of Family and Protective Services (DFPS) to prepare and disseminate certain child protection statistics by county.

Under current federal legislation (HR 4980: Preventing Sex Trafficking and Strengthening Families Act) enacted in September 2014, DFPS is already required to comply with the sex trafficking reporting provisions of the bill. Costs to the agency concerning the reporting of child protection statistics are also assumed to be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** UP, ESi, WP, SJ, NB

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 7, 2015**

**TO:** Honorable Charles Schwertner, Chair, Senate Committee on Health & Human Services

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB1217** by Thompson, Senfronia (Relating to reporting information for certain foster children who are missing or are victims of sex trafficking.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Family Code as it relates to reporting information for certain foster children who are missing or are victims of sex trafficking.

Under current federal legislation (HR 4980: Preventing Sex Trafficking and Strengthening Families Act) enacted in September 2014, DFPS is already required to comply with the provisions of the bill. Any additional costs to the agency are assumed to be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** UP, ESi, WP, SJ, NB

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 2, 2015**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB1217** by Thompson, Senfronia (Relating to reporting information for certain foster children who are missing or are victims of sex trafficking.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Family Code as it relates to reporting information for certain foster children who are missing or are victims of sex trafficking.

Under current federal legislation (HR 4980: Preventing Sex Trafficking and Strengthening Families Act) enacted in September 2014, DFPS is already required to comply with the provisions of the bill. Any additional costs to the agency are assumed to be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** UP, ESi, WP, SJ, NB



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 23, 2015**

**TO:** Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1217** by Thompson, Senfronia (Relating to reporting information for certain foster children who are missing or are victims of sex trafficking.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Family Code as it relates to reporting information for certain foster children who are missing or are victims of sex trafficking.

Under current federal legislation (HR 4980: Preventing Sex Trafficking and Strengthening Families Act) enacted in September 2014, DFPS is already required to comply with the provisions of the bill. Any additional costs to the agency are assumed to be insignificant.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 530 Family and Protective Services, Department of

**LBB Staff:** UP, ESi, WP, SJ, NB