

Amend HB 7 on third reading as follows:

(1) Strike the SECTION of the bill adding Section 161.001(c), (d), and (e), Family Code, and substitute the following:

SECTION _____. (a) Section 161.001, Family Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) A court may not make a finding under Subsection (b) and order termination of the parent-child relationship based on evidence that the parent:

(1) homeschooled the child;

(2) is economically disadvantaged;

(3) engaged in reasonable discipline of the child; or

(4) has been charged with a nonviolent misdemeanor offense other than:

(A) an offense under Title 5, Penal Code;

(B) an offense under Title 6, Penal Code; or

(C) an offense that involves family violence, as defined by Section 71.004 of this code; or

(5) provided or administered:

(A) medical cannabis to a child for whom the medical cannabis was recommended under Chapter 169, Occupations Code; or

(B) a product that contains THC to a child, if the parent believes that the provision or administration of the product is in the best interest of the child, and the child meets the requirements of Section 169.003(1) and (2), Occupations Code; or

(6) declined immunization for the child for reasons of conscience, including a religious belief.

(d) A court may not court may not order termination under Subsection (b)(1)(O) based on the failure by the parent to comply with a specific provision of a court order if a parent proves by a preponderance of evidence that:

(1) the parent was unable to comply with specific provisions of the court order; and

(2) the parent made a good faith effort to comply with the order and the failure to comply with the order is not attributable to any fault of the parent.

(e) This section does not prohibit the Department of Family and Protective Services from offering evidence described by Subsection (c) as part of an action to terminate the parent-child relationship under this subchapter.

(b) This Section takes effect only if HB 2107 Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is enacted and becomes law. If HB 2107, Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is not enacted or does not become law, this section has no effect.

SECTION _____. (a) Section 161.001, Family Code, is amended by adding Subsections (c), (d), and (e) to read as follows:

(c) A court may not make a finding under Subsection (b) and order termination of the parent-child relationship based on evidence that the parent:

(1) homeschooled the child;
(2) is economically disadvantaged;
(3) engaged in reasonable discipline of the child;
(4) has been charged with a nonviolent misdemeanor offense other than:

(A) an offense under Title 5, Penal Code;
(B) an offense under Title 6, Penal Code; or
(C) an offense that involves family violence, as defined by Section 71.004 of this code;

(5) provided or administered low-THC cannabis to a child for whom the low-THC cannabis was prescribed under Chapter 169, Occupations Code; or

(6) declined immunization for the child for reasons of conscience, including a religious belief.

(d) A court may not court may not order termination under Subsection (b)(1)(O) based on the failure by the parent to comply with a specific provision of a court order if a parent proves by a preponderance of evidence that:

(1) the parent was unable to comply with specific provisions of the court order; and

(2) the parent made a good faith effort to comply with the order and the failure to comply with the order is not

attributable to any fault of the parent.

(e) This section does not prohibit the Department of Family and Protective Services from offering evidence described by Subsection (c) as part of an action to terminate the parent-child relationship under this subchapter.

(b) This Section takes effect only if HB 2107 Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is not enacted or does not becomes law. If HB 2107, Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is enacted and becomes law, this section has no effect.

(2) Strike the SECTION of the bill adding Section 262.116, Family Code, and substitute the following:

SECTION _____. (a) Subchapter B, Chapter 262, Family Code, is amended by adding Section 262.116 to read as follows:

Sec. 262.116. LIMITS ON REMOVAL. (a) The Department of Family and Protective Services may not take possession of a child under this subchapter based on evidence that the parent:

- (1) homeschooled the child;
- (2) is economically disadvantaged;
- (3) engaged in reasonable discipline of the child;
- (4) has been charged with a nonviolent misdemeanor

offense other than:

- (A) an offense under Title 5, Penal Code;
- (B) an offense under Title 6, Penal Code; or
- (C) an offense that involves family violence, as defined by Section 71.004 of this code;

- (5) provided or administered:

(A) medical cannabis to a child for whom the medical cannabis was recommended under Chapter 169, Occupations Code; or

(B) a product that contains THC to a child, if the parent believes that the provision or administration of the product is in the best interest of the child, and the child meets the requirements of Section 169.003(1) and (2), Occupations Code; or

- (6) declined immunization for the child for reasons of

conscience, including a religious belief.

(b) The department shall train child protective services caseworkers regarding the prohibitions on removal provided under Subsection (a).

(c) The executive commissioner of the Health and Human Services Commission may adopt rules to implement this section.

(d) This section does not prohibit the department from offering evidence described by Subsection (a) as part of an action to take possession of a child under this subchapter.

(b) This Section takes effect only if **HB 2107** Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is enacted and becomes law. If **HB 2107**, Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is not enacted or does not become law, this section has no effect.

SECTION _____. (a) Subchapter B, Chapter 262, Family Code, is amended by adding Section 262.116 to read as follows:

Sec. 262.116. LIMITS ON REMOVAL. (a) The Department of Family and Protective Services may not take possession of a child under this subchapter based on evidence that the parent:

- (1) homeschooled the child;
- (2) is economically disadvantaged;
- (3) engaged in reasonable discipline of the child;
- (4) has been charged with a nonviolent misdemeanor

offense other than:

- (A) an offense under Title 5, Penal Code;
- (B) an offense under Title 6, Penal Code; or
- (C) an offense that involves family violence, as defined by Section 71.004 of this code;

(5) provided or administered low-THC cannabis to a child for whom the low-THC cannabis was prescribed under Chapter 169, Occupations Code; or

(6) declined immunization for the child for reasons of conscience, including a religious belief.

(b) The department shall train child protective services caseworkers regarding the prohibitions on removal provided under Subsection (a).

(c) The executive commissioner of the Health and Human Services Commission may adopt rules to implement this section.

(d) This section does not prohibit the department from offering evidence described by Subsection (a) as part of an action to take possession of a child under this subchapter.

(b) This Section takes effect only if **HB 2107** Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is not enacted or does not becomes law. If **HB 2107**, Acts of the 85th Legislature, Regular Session, 2017, or similar legislation authorizing the use of medical cannabis is enacted and becomes law, this section has no effect.

(3) Renumber SECTIONS of the bill as appropriate.