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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Keough

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 264.203, Family Code, is amended by
5 amending Subsection (a) and adding Subsections (e) and (f) to read
6 as follows:

7 (a) Except as provided by Subsection (d), if the court finds
8 by clear and convincing evidence that abuse or neglect has occurred
9 or is likely to occur, the court on request of the department may
10 order the parent, managing conservator, guardian, or other member
11 of the subject child's household to:

12 (1) participate in the services the department
13 provides or purchases for:

14 (A) alleviating the effects of the abuse or
15 neglect that has occurred; or

16 (B) reducing the reasonable likelihood that the
17 child may be abused or neglected in the immediate or foreseeable
18 future; and

19 (2) permit the child and any siblings of the child to
20 receive the services.

21 (e) Before the court may order the participation of a
22 parent, managing conservator, guardian, or other member of the
23 subject child's household in services, the court shall advise any
24 person who is not represented by an attorney of:

25 (1) the right to be represented by an attorney; and

26 (2) if the person is indigent and opposes the order to
27 participate in services, the right to a court-appointed attorney,
28 subject to the procedures in Section 263.0061(b).

29 (f) If a parent, managing conservator, guardian, or other

1 member of the subject child's household is opposed to participating
2 in services and is not represented by an attorney at the hearing,
3 the court may not order the person to participate in services until
4 the person has either retained or been appointed an attorney.

5 SECTION _____. The changes in law made by this Act apply to a
6 suit affecting the parent-child relationship filed on or after the
7 effective date of this Act. A suit affecting the parent-child
8 relationship filed before the effective date of this Act is
9 governed by the law in effect on the date the suit was filed, and the
10 former law is continued in effect for that purpose.