



17 MAY -7 PM 12:55
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: BURROWS

1 Amend C.S.H.B. No. 7 (house committee report) as follows:

2 (1) On page 9, line 19, between "(a-5)" and "to" insert "and
3 amending Subsections (b) and (c)".

4 (2) On page 9, after line 27, insert the following:

5 (b) At the conclusion of the full adversary hearing, the
6 court shall order the return of the child to the parent, managing
7 conservator, possessory conservator, guardian, caretaker, or
8 custodian entitled to possession unless the court finds sufficient
9 evidence to produce in the mind of a reasonable person a firm belief
10 or conviction [~~satisfy a person of ordinary prudence and caution~~]
11 that:

12 (1) there was a danger to the physical health or safety
13 of the child, including a danger that the child would be a victim of
14 trafficking under Section 20A.02 or 20A.03, Penal Code, which was
15 caused by an act or failure to act of the person entitled to
16 possession and for the child to remain in the home is contrary to
17 the welfare of the child;

18 (2) the urgent need for protection required the
19 immediate removal of the child and reasonable efforts, consistent
20 with the circumstances and providing for the safety of the child,
21 were made to eliminate or prevent the child's removal; and

22 (3) reasonable efforts have been made to enable the
23 child to return home, but there is a substantial risk of a
24 continuing danger if the child is returned home.

25 (c) If the court finds sufficient evidence to produce in the
26 mind of a reasonable person a firm belief or conviction [~~satisfy a~~
27 ~~person of ordinary prudence and caution~~] that there is a continuing
28 danger to the physical health or safety of the child and for the
29 child to remain in the home is contrary to the welfare of the child,

1 the court shall issue an appropriate temporary order under Chapter
2 105. The court shall require each parent, alleged father, or
3 relative of the child before the court to complete the proposed
4 child placement resources form provided under Section 261.307 and
5 file the form with the court, if the form has not been previously
6 filed with the court, and provide the Department of Family and
7 Protective Services with information necessary to locate any other
8 absent parent, alleged father, or relative of the child. The court
9 shall inform each parent, alleged father, or relative of the child
10 before the court that the person's failure to submit the proposed
11 child placement resources form will not delay any court proceedings
12 relating to the child. The court shall inform each parent in open
13 court that parental and custodial rights and duties may be subject
14 to restriction or to termination unless the parent or parents are
15 willing and able to provide the child with a safe environment. If
16 the court finds that the child requires protection from family
17 violence by a member of the child's family or household, the court
18 shall render a protective order under Title 4 for the child. In
19 this subsection, "family violence" has the meaning assigned by
20 Section 71.004.