

BILL ANALYSIS

H.B. 610
By: Leach
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that caretakers of foster children are seldom presented the opportunity to speak and present evidence at a hearing regarding the child and are at times discouraged from testifying or even attending the hearing. The purpose of H.B. 610 is to address these issues by enacting provisions relating to procedures for presenting certain evidence at placement review hearings in suits affecting the parent-child relationship involving the Department of Family and Protective Services.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 610 amends the Family Code to require a court holding a placement review hearing for a child under the care of the Department of Family and Protective Services to call a foster parent, preadoptive parent, relative of the child providing care, or director or director's designee of the group home or general residential operation where the child is residing and to authorize such an individual, at the individual's discretion, to appear at the hearing and present evidence and be heard regardless of whether either party calls the individual to testify. The bill requires notice of such a hearing provided to such an individual to state that the individual may but is not required to present evidence and be heard at the hearing. The bill authorizes the cross-examination by either party of such an individual who testifies at the hearing.

EFFECTIVE DATE

September 1, 2017.