

BILL ANALYSIS

Senate Research Center

S.B. 879
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Health & Human Services
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Department of Family and Protective Services (DFPS) reports that kinship placements experience fewer disruptions, better outcomes for children, and shorter lengths of stay compared to the traditional foster care system. S.B. 879 allows DFPS to consider a kinship placement with an individual who has been convicted of a non-violent offense, if placement with that individual would be in the child's best interest. Every potential kinship placement is required to submit to a criminal background check, and non-violent criminal offenses are eliminating otherwise appropriate placements for children entering into the foster care system.

S.B. 879 amends current law relating to a review of a person's disqualification to serve as a relative or other designated caregiver for a child.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 264.754, Family Code, as follows:

Sec. 264.754. New heading: ASSESSMENT OF PROPOSED PLACEMENT. (a) Defines "low-risk criminal offense."

(b) Requires the Department of Family and Protective Services (DFPS), before placing a child with a proposed relative or other designated caregiver, to conduct an assessment, rather than investigation, to determine whether the proposed placement is in the child's best interest.

(c) Authorizes the person, if DFPS disqualifies a person from serving as a relative or other designated caregiver for a child on the basis that the person has been convicted of a low-risk criminal offense, to appeal the disqualification in accordance with the procedure developed under Subsection (d).

(d) Requires DFPS to develop a list of criminal offenses DFPS determines are low-risk and a procedure for appropriate regional administration of DFPS to review certain decisions.

(e) Requires DFPS to publish the list of low-risk criminal offenses and information regarding the review procedure developed under Subsection (d) on DFPS's Internet website and provide prospective relative and other designated caregivers information regarding the review procedure developed under Subsection (d).

SECTION 2. Effective date: upon passage or September 1, 2017.