

BILL ANALYSIS

S.B. 1758
By: Zaffirini
Human Services
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties suggest that greater awareness is needed with regard to whether certain children in the conservatorship of the Department of Family and Protective Services are receiving independent living skills. S.B. 1758 seeks to provide for that awareness in applicable court hearings, among other provisions.

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

S.B. 1758 amends the Family Code to require the Department of Family and Protective Services (DFPS) to conduct an independent living skills assessment for all youth in the permanent managing conservatorship of DFPS who are at least 14 years of age but younger than 16 years of age and all youth in DFPS conservatorship who are 16 years of age or older. The bill requires DFPS to annually update the assessment for each such youth assessed to determine the independent living skills the youth learned during the preceding year to ensure that the DFPS obligation to prepare the youth for independent living has been met. The bill requires DFPS to conduct the annual update through the youth's plan of service in coordination with the youth, the youth's caseworker, the staff of the preparation for adult living program, and the youth's caregiver. The bill requires DFPS, in coordination with stakeholders, to develop a plan to standardize the curriculum for the preparation for adult living program that ensures that youth 14 years of age or older enrolled in the program receive relevant and age-appropriate information and training. The bill requires DFPS to report the plan to the legislature not later than December 1, 2018.

S.B. 1758 requires a court at each permanency hearing for a child under the care of DFPS held before a final order is rendered to ask all parties present whether the child or the child's family has a Native American heritage and identify any Native American tribe with which the child may be associated. The bill requires a court at such a hearing held before and after a final order is rendered to review the permanency progress report of a child whose permanency goal is another planned permanent living arrangement to determine whether DFPS has conducted an independent living skills assessment as required by the bill's provisions, whether DFPS has addressed the goals identified in the child's permanency plan, including the child's housing plan, and the results of the independent living skills assessment, and whether there is evidence that DFPS has provided the youth with certain applicable required identification documents and

information. The bill requires a court in a suit filed by DFPS requesting termination of the parent-child relationship or requesting that DFPS be named conservator involving a child who is 14 years of age or older and whose permanency goal is another planned permanent living arrangement to verify that DFPS has conducted an independent living skills assessment under the bill's provisions, that DFPS has addressed the goals identified in the child's permanency plan, including the child's housing plan, and the results of the independent living skills assessment, and, if the youth is 16 years of age or older or 18 years of age or older or has had the disabilities of minority removed, that there is evidence that DFPS has provided the youth with certain applicable required identification documents and information. The bill's provisions relating to actions a court must take apply to a suit affecting the parent-child relationship filed before, on, or after the bill's effective date.

S.B. 1758 conditions the requirement that DFPS implement the bill's provisions on the legislature appropriating money specifically for that purpose. The bill authorizes, but expressly does not require, DFPS to implement the bill's provisions using other appropriations available for that purpose if the legislature does not appropriate money specifically for that purpose.

EFFECTIVE DATE

September 1, 2017.