

By: Wu

H.B. No. 698

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to notice given to certain persons before a change of  
3 placement for a child in foster care.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 264.018, Family Code, is amended by  
6 amending Subsection (f) and adding Subsections (f-1) and (f-2) to  
7 read as follows:

8 (f) Except as provided by Subsection (f-1) or (f-2), as [As]  
9 soon as possible but not later than the 10th day after the date the  
10 department becomes aware of a significant event affecting a child  
11 in the conservatorship of the department, the department shall  
12 provide notice of the significant event to:

- 13 (1) the child's parent;
- 14 (2) an attorney ad litem appointed for the child under  
15 Chapter 107;
- 16 (3) a guardian ad litem appointed for the child under  
17 Chapter 107;
- 18 (4) a volunteer advocate appointed for the child under  
19 Chapter 107;
- 20 (5) the licensed administrator of the child-placing  
21 agency responsible for placing the child or the licensed  
22 administrator's designee;
- 23 (6) a foster parent, prospective adoptive parent,  
24 relative of the child providing care to the child, or director of

1 the group home or general residential operation where the child is  
2 residing; and

3 (7) any other person determined by a court to have an  
4 interest in the child's welfare.

5 (f-1) As soon as possible but not later than the fifth day  
6 after the date a child-placing agency notifies the department of  
7 the agency's intent to change the placement of a child in the  
8 conservatorship of the department, the department shall give notice  
9 of the impending placement change and the reason given for the  
10 placement change to:

11 (1) the child's parent;

12 (2) an attorney ad litem appointed for the child under  
13 Chapter 107;

14 (3) a guardian ad litem appointed for the child under  
15 Chapter 107;

16 (4) a volunteer advocate appointed for the child under  
17 Chapter 107;

18 (5) a foster parent, prospective adoptive parent,  
19 relative of the child providing care to the child, or director of  
20 the group home or general residential operation where the child is  
21 residing; and

22 (6) any other person determined by a court to have an  
23 interest in the child's welfare.

24 (f-2) As soon as possible but not later than the fifth day  
25 after the date a foster parent requests the removal of a child in  
26 the conservatorship of the department from the foster home because  
27 of an increase or decrease in the child's service level, the

1 department shall give notice of the impending placement change to:

2 (1) the child's parent;

3 (2) an attorney ad litem appointed for the child under  
4 Chapter 107;

5 (3) a guardian ad litem appointed for the child under  
6 Chapter 107;

7 (4) a volunteer advocate appointed for the child under  
8 Chapter 107;

9 (5) the licensed administrator of the child-placing  
10 agency responsible for placing the child or the licensed  
11 administrator's designee; and

12 (6) any other person determined by a court to have an  
13 interest in the child's welfare.

14 SECTION 2. This Act takes effect September 1, 2017.