

By: Farrar

H.B. No. 750

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a court's jurisdiction in a suit affecting the  
3 parent-child relationship over certain young people seeking  
4 special immigrant juvenile status and to child protective services  
5 caseworkers assigned to those young people.

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

7 SECTION 1. Section 101.003, Family Code, is amended by  
8 adding Subsection (b-1) to read as follows:

9 (b-1) In the context of applying for a court order relating  
10 to the special immigrant juvenile status of a person under Section  
11 101(a)(27)(J) of the federal Immigration and Nationality Act (8  
12 U.S.C. Section 1101(a)(27)(J)), "child" or "minor" includes a  
13 person who is:

14 (1) not a citizen of the United States;

15 (2) present in the United States;

16 (3) not married;

17 (4) under 21 years of age; and

18 (5) applying for a special immigrant juvenile visa.

19 SECTION 2. Chapter 102, Family Code, is amended by adding  
20 Section 102.0115 to read as follows:

21 Sec. 102.0115. JURISDICTION IN CASES INVOLVING SPECIAL  
22 IMMIGRANT JUVENILE STATUS. The court has jurisdiction over a child  
23 with respect to issues relating to the child's special immigrant  
24 juvenile status if the child has filed or intends to file an

1 application with the appropriate federal authority seeking special  
2 immigrant juvenile status as defined by Section 101(a)(27)(J) of  
3 the federal Immigration and Nationality Act (8 U.S.C. Section  
4 1101(a)(27)(J)) for the child.

5 SECTION 3. Subchapter A, Chapter 155, Family Code, is  
6 amended by adding Section 155.006 to read as follows:

7 Sec. 155.006. EXTENDED JURISDICTION. (a) If a child over  
8 whom the court has continuing, exclusive jurisdiction has filed or  
9 intends to file an application with the appropriate federal  
10 authority seeking special immigrant juvenile status as defined by  
11 Section 101(a)(27)(J) of the federal Immigration and Nationality  
12 Act (8 U.S.C. Section 1101(a)(27)(J)), the court may extend the  
13 court's jurisdiction over the child after the child's 18th birthday  
14 until the earliest of:

15 (1) the child's 21st birthday;

16 (2) the date the child is granted lawful permanent  
17 resident status;

18 (3) the date an appeal of the denial of an application  
19 for permanent residency based on a petition for special immigrant  
20 juvenile status is denied; or

21 (4) if an appeal described by Subdivision (3) is not  
22 filed, the day after the last day to file an appeal of the denial of  
23 an application for permanent residency based on a petition for  
24 special immigrant juvenile status.

25 (b) The court's jurisdiction under this section is limited  
26 to issues relating to the child's special immigrant juvenile  
27 status.

1 SECTION 4. Subchapter C, Chapter 40, Human Resources Code,  
2 is amended by adding Section 40.0529 to read as follows:

3 Sec. 40.0529. CASES INVOLVING IMMIGRANT CHILDREN. The  
4 department shall ensure that each child who is placed in the  
5 department's managing conservatorship or care and whose  
6 immigration status on initial placement is undetermined is assigned  
7 to a caseworker who has experience preparing applications for  
8 special immigrant juvenile status and legal permanent resident  
9 status.

10 SECTION 5. This Act takes effect September 1, 2017.