

By: Wu

H.B. No. 1444

A BILL TO BE ENTITLED

AN ACT

relating to the court's review of the placement of a child in certain court orders relating to a suit affecting the parent-child relationship involving a child in the conservatorship of the Department of Family and Protective Services.

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

SECTION 1. Subchapter A, Chapter 262, Family Code, is amended by adding Section 262.0022 to read as follows:

Sec. 262.0022. REVIEW OF PLACEMENT; FINDINGS. At each hearing under this chapter, the court shall review the placement of each child in the temporary or permanent managing conservatorship of the department who is not placed with a relative caregiver or designated caregiver as defined by Section 264.751. The court shall make a finding as to whether the department is able to place the child with a relative or other designated caregiver and state the evidence that supports its finding.

SECTION 2. Section 263.002, Family Code, is amended to read as follows:

Sec. 263.002. REVIEW OF PLACEMENTS BY COURT; FINDINGS. (a)
In a suit affecting the parent-child relationship in which the department has been appointed by the court or designated in an affidavit of relinquishment of parental rights as the temporary or permanent managing conservator of a child, the court shall hold a hearing to review:

1 (1) the conservatorship appointment and substitute
2 care; and

3 (2) for a child committed to the Texas Juvenile
4 Justice Department, the child's commitment in the Texas Juvenile
5 Justice Department or release under supervision by the Texas
6 Juvenile Justice Department.

7 **(b) At each hearing under this chapter, the court shall**
8 **review the placement of each child in the temporary or permanent**
9 **managing conservatorship of the department who is not placed with a**
10 **relative caregiver or designated caregiver as defined by Section**
11 **264.751. The court shall make a finding as to whether the**
12 **department is able to place the child with a relative or other**
13 **designated caregiver and state the evidence that supports its**
14 **finding.**

15 SECTION 3. The changes in law made by this Act apply to a
16 suit affecting the parent-child relationship filed on or after the
17 effective date of this Act. A suit affecting the parent-child
18 relationship filed before the effective date of this Act is
19 governed by the law in effect on the date the suit was filed, and the
20 former law is continued in effect for that purpose.

21 SECTION 4. This Act takes effect September 1, 2017.