

1-1 By: Uresti S.B. No. 879
1-2 (In the Senate - Filed February 14, 2017;
1-3 February 28, 2017, read first time and referred to Committee on
1-4 Health & Human Services; May 1, 2017, reported adversely, with
1-5 favorable Committee Substitute by the following vote: Yeas 7, Nays
1-6 2; May 1, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Schwertner	X		
1-10	Uresti	X		
1-11	Buckingham	X		
1-12	Burton	X		
1-13	Kolkhorst		X	
1-14	Miles	X		
1-15	Perry		X	
1-16	Taylor of Collin	X		
1-17	Watson	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 879 By: Watson

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to a review of a person's disqualification to serve as a
1-22 relative or other designated caregiver for a child.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 264.754, Family Code, is amended to read
1-25 as follows:

1-26 Sec. 264.754. ASSESSMENT [~~INVESTIGATION~~] OF PROPOSED
1-27 PLACEMENT. (a) In this section, "low-risk criminal offense" means
1-28 a nonviolent criminal offense, including a fraud-based offense, the
1-29 department determines has a low risk of impacting:

1-30 (1) a child's safety or well-being; or
1-31 (2) the stability of a child's placement with a
1-32 relative or other designated caregiver.

1-33 (b) Before placing a child with a proposed relative or other
1-34 designated caregiver, the department must conduct an assessment
1-35 [~~investigation~~] to determine whether the proposed placement is in
1-36 the child's best interest.

1-37 (c) If the department disqualifies a person from serving as
1-38 a relative or other designated caregiver for a child on the basis
1-39 that the person has been convicted of a low-risk criminal offense,
1-40 the person may appeal the disqualification in accordance with the
1-41 procedure developed under Subsection (d).

1-42 (d) The department shall develop:

1-43 (1) a list of criminal offenses the department
1-44 determines are low-risk criminal offenses; and

1-45 (2) a procedure for appropriate regional
1-46 administration of the department to review a decision to disqualify
1-47 a person from serving as a relative or other designated caregiver
1-48 that includes the consideration of:

1-49 (A) when the person's conviction occurred;

1-50 (B) whether the person has multiple convictions
1-51 for low-risk criminal offenses; and

1-52 (C) the likelihood that the person will commit
1-53 fraudulent activity in the future.

1-54 (e) The department shall:

1-55 (1) publish the list of low-risk criminal offenses and
1-56 information regarding the review procedure developed under
1-57 Subsection (d) on the department's Internet website; and

1-58 (2) provide prospective relative and other designated
1-59 caregivers information regarding the review procedure developed
1-60 under Subsection (d).

2-1 SECTION 2. This Act takes effect immediately if it receives
2-2 a vote of two-thirds of all the members elected to each house, as
2-3 provided by Section 39, Article III, Texas Constitution. If this
2-4 Act does not receive the vote necessary for immediate effect, this
2-5 Act takes effect September 1, 2017.

2-6

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