

## **BILL ANALYSIS**

C.S.H.B. 1780  
By: Miller  
Human Services  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

It has been reported that in recent years the vast majority of confirmed Department of Family and Protective Services (DFPS) investigations relating to neglectful supervision of a child involved drug abuse. In these cases, when a suit is filed requesting the termination of the parent-child relationship or requesting DFPS to be named the child's conservator and a parent is ordered to complete a substance abuse treatment program, DFPS must resolve issues relating to the child's removal within one year before parental rights can be terminated or the case is dismissed. There are times when extraordinary circumstances may necessitate the child remaining in the temporary managing conservatorship of DFPS until the case can be finally resolved, and it has been suggested that the circumstances warranting such an extension of conservatorship could be more clearly defined. C.S.H.B. 1780 seeks to address this issue by requiring a court, when making a determination with regard to such an extension, to consider whether the parent made a good faith effort to successfully complete the treatment program.

### **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**

C.S.H.B. 1780 amends the Family Code to require a court, in a suit affecting the parent-child relationship requesting the termination of that relationship or the naming of the Department of Family and Protective Services (DFPS) as the child's conservator and in which a parent is ordered to complete a substance abuse treatment program, when considering whether to find that extraordinary circumstances necessitate the child remaining in the temporary managing conservatorship of DFPS, to consider whether the parent made a good faith effort to successfully complete the treatment program.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 1780 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not make its provisions applicable to a suit affecting the parent-child relationship filed before the bill's effective date.