86R13860 MM-D

By:  Dutton H.B. No. 3691

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of a person to serve as a relative or other designated caregiver for a child.

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

SECTION 1.  Sections 264.754(a), (b), and (c), Family Code, are amended to read as follows:

(a)  [~~In this section, "low-risk criminal offense" means a nonviolent criminal offense, including a fraud-based offense, the department determines has a low risk of impacting:~~

[~~(1)  a child's safety or well-being; or~~

[~~(2)  the stability of a child's placement with a relative or other designated caregiver.~~

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

(b)  The [~~(c)  If the~~] department may not disqualify [~~disqualifies~~] a person from serving as a relative or other designated caregiver for a child on the basis that the person has been convicted of a [~~low-risk~~] criminal offense, other than an offense that requires the person to register as a sex offender under Chapter 62, Code of Criminal Procedure, if the department determines that placing the child with the person is in the child's best interest [~~the person may appeal the disqualification in accordance with the procedure developed under Subsection (d)~~].

SECTION 2.  Sections 264.754(d) and (e), Family Code, are repealed.

SECTION 3.  This Act takes effect September 1, 2019.