

## **BILL ANALYSIS**

H.B. 2680  
By: Hull  
Human Services  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Parental child safety placement agreements were originally designed to balance the safety needs of a child during abuse or neglect investigations while minimizing the child's trauma if they were to be temporarily removed. Parents who are being investigated by Child Protective Services may be asked to place their child with another trusted individual known by the child if there is a possible safety risk or if the investigation is unable to quickly determine the level of risk. However, that balance has shifted toward an unintended mechanism of threat and compliance in some cases when families are coerced into temporarily giving up their child during the investigation to avoid facing state action. Furthermore, the agreements typically provide little oversight concerning the duration and terms of the agreement, leaving those involved unsure when and how to end them. H.B. 2680 seeks to address these issues by providing for legal counsel for certain parents whose children are in parental child safety placements, limiting the amount of time that a placement agreement may seek to keep a child out of their own home, and requiring certain data related to these placements to be reported.

### **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**

H.B. 2680 amends the Family Code to establish that a parental child safety placement agreement automatically terminates on the earlier of the 30th day after the date the agreement is signed or the child is placed with the caregiver.

H.B. 2680 requires a court, before ordering a parent, managing conservator, guardian, or other member of the household of a child subject to such a placement to participate in the services provided or purchased by the Department of Family and Protective Services (DFPS), to advise any person who is not represented by an attorney of the right to be represented by an attorney and, if the person is indigent and opposes the order to participate in services, the right to a court-appointed attorney. The bill requires DFPS to report the number of cases in which a court orders the parent, managing conservator, guardian, or other member of the child's household to participate in those services.

H.B. 2680 requires DFPS to include children who are placed with a caregiver under a parental child safety placement agreement in any report, including reports submitted to a federal agency,

in which DFPS is required to report the number of children in the child protective services system who are removed from the children's homes.

**EFFECTIVE DATE**

September 1, 2021.