

BILL ANALYSIS

H.B. 3011
By: Hull
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Removing a child from their home is a life-altering, traumatic event. The Department of Family and Protective Services (DFPS) is required by federal and state law to have previously made reasonable efforts to prevent removal of a child from their home. It has been noted that DFPS, when justifying a removal, will often make vague blanket statements regarding these efforts, making it nearly impossible to determine whether DFPS attempted to prevent a traumatic removal. H.B. 3011 seeks to remedy this situation by requiring DFPS to state the actual reasonable efforts made before seeking to remove or removing a child from their home.

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. 3011 amends the Family Code to require the supporting affidavits filed in the following suits affecting the parent-child relationship to describe all reasonable efforts that were made to prevent or eliminate the need for the removal of a child:

- an original suit filed by a government entity that requests permission to take possession of a child without prior notice and a hearing;
- an original suit filed by a governmental entity after taking possession of a child in an emergency without a court order; and
- an original suit filed by a governmental entity that requests to take possession of a child after notice and a hearing.

EFFECTIVE DATE

September 1, 2021.