87R930 MCK-D

By:  White H.B. No. 1237

A BILL TO BE ENTITLED

AN ACT

relating to adverse disproportionalities within the child protective services system.

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

SECTION 1.  Subchapter B, Chapter 40, Human Resources Code, is amended by adding Section 40.028 to read as follows:

Sec. 40.028.  ANALYZING AND ADDRESSING ADVERSE DISPROPORTIONALITY. (a) The commissioner shall analyze the adverse disproportionate involvement of children who are members of a racial or ethnic minority group in the child protective services system, including at each stage of child protective services investigations.

(b)  On identifying an adverse disproportionality described by Subsection (a), the commissioner shall:

(1)  establish a team to address the disproportionality; and

(2)  notify the governor, lieutenant governor, speaker of the house of representatives, and chairs of the standing committees of the senate and house of representatives having primary jurisdiction over the department of the disproportionality.

(c)  In appointing members to a team to address the adverse disproportionality, the commissioner shall appoint representatives with expertise in different subjects relevant to the disproportionality.

(d)  The commissioner shall direct the team to:

(1)  develop an evidence-based approach to address the adverse disproportionality;

(2)  identify resources for addressing and eliminating or reducing the disproportionality; and

(3)  assist the commissioner in obtaining those resources from and if necessary requesting those resources from the legislature.

(e)  The commissioner shall set a time to complete the elimination or reduction of the adverse disproportionality and measures for determining whether the disproportionality has been eliminated or reduced.

(f)  As soon as practical, the commissioner shall report to the governor, lieutenant governor, speaker of the house of representatives, and chairs of the standing committees of the senate and house of representatives having primary jurisdiction over the department on:

(1)  the evidence-based approach the department will use to eliminate or reduce the adverse disproportionality;

(2)  the resources needed to eliminate or reduce the disproportionality;

(3)  the time set to complete the elimination or reduction of the disproportionality; and

(4)  measures for determining whether the adverse disproportionality has been eliminated or reduced.

(g)  At the conclusion of the time set by the commissioner to complete the elimination or reduction of the adverse disproportionality, the commissioner shall report to the governor, lieutenant governor, speaker of the house of representatives, and chairs of the standing committees of the senate and house of representatives having primary jurisdiction over the department:

(1)  the results of the department's evidence-based approach to eliminating or reducing the disproportionality; and

(2)  if the department's approach:

(A)  successfully eliminated or reduced the disproportionality, the department's plan for ensuring the disproportionality is not reinstated or expanded; or

(B)  failed to eliminate or reduce the disproportionality:

(i)  the reasons the approach failed; and

(ii)  the new approaches the department will implement to eliminate or reduce the disproportionality.

SECTION 2.  This Act takes effect September 1, 2021.