

By: Dutton

H.B. No. 1187

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~~

1 ~~accordance with the procedure developed under Subsection (d)]~~.

2 SECTION 2. Sections [264.754](#)(d) and (e), Family Code, are
3 repealed.

4 SECTION 3. This Act takes effect September 1, 2021.