

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

1 disproportionality.

2 (d) The commissioner shall direct the team to:

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

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

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

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

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

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

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

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

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

27 (g) At the conclusion of the time set by the commissioner to

1 complete the elimination or reduction of the adverse  
2 disproportionality, the commissioner shall report to the governor,  
3 lieutenant governor, speaker of the house of representatives, and  
4 chairs of the standing committees of the senate and house of  
5 representatives having primary jurisdiction over the department:

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

8 (2) if the department's approach:

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

12 (B) failed to eliminate or reduce the  
13 disproportionality:

14 (i) the reasons the approach failed; and

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

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