

1-1 By: J. Johnson of Harris, Leach, Neave H.B. No. 1315
1-2 (Senate Sponsor - Powell)
1-3 (In the Senate - Received from the House April 21, 2021;
1-4 May 10, 2021, read first time and referred to Committee on Health &
1-5 Human Services; May 24, 2021, reported adversely, with favorable
1-6 Committee Substitute by the following vote: Yeas 9, Nays 0;
1-7 May 24, 2021, sent to printer.)

1-8 COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	Kolkhorst	X			
1-11	Perry	X			
1-12	Blanco	X			
1-13	Buckingham	X			
1-14	Campbell	X			
1-15	Hall	X			
1-16	Miles	X			
1-17	Powell	X			
1-18	Seliger	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 1315 By: Perry

1-20 A BILL TO BE ENTITLED
1-21 AN ACT

1-22 relating to the duration of an appointment of a guardian ad litem or
1-23 an attorney ad litem for a child in the conservatorship of the
1-24 Department of Family and Protective Services.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Section 107.016, Family Code, is amended to read
1-27 as follows:

1-28 Sec. 107.016. CONTINUED REPRESENTATION; DURATION OF
1-29 APPOINTMENT. In a suit filed by a governmental entity in which
1-30 termination of the parent-child relationship or appointment of the
1-31 entity as conservator of the child is requested:

1-32 (1) ~~[an order appointing the Department of Family and~~
1-33 ~~Protective Services as the child's managing conservator may provide~~
1-34 ~~for the continuation of the appointment of the guardian ad litem for~~
1-35 ~~the child for any period during the time the child remains in the~~
1-36 ~~conservatorship of the department, as set by the court,~~

1-37 ~~[(2)]~~ an order appointing the Department of Family and
1-38 Protective Services as the child's managing conservator:

1-39 (A) shall ~~may~~ provide for the continuation of
1-40 the appointment of the guardian ad litem or the attorney ad litem
1-41 for the child, or an attorney appointed to serve in the dual role,
1-42 as long as the child remains in the conservatorship of the
1-43 department; and

1-44 (B) may provide for the continuation of the
1-45 appointment of both the attorney ad litem and the guardian ad litem
1-46 for the child if both have been appointed, as long as the child
1-47 remains in the conservatorship of the department; and

1-48 (2) ~~[(3)]~~ an attorney appointed under this subchapter
1-49 to serve as an attorney ad litem for a parent or an alleged father
1-50 continues to serve in that capacity until the earliest of:

1-51 (A) the date the suit affecting the parent-child
1-52 relationship is dismissed;

1-53 (B) the date all appeals in relation to any final
1-54 order terminating parental rights are exhausted or waived; or

1-55 (C) the date the attorney is relieved of the
1-56 attorney's duties or replaced by another attorney after a finding
1-57 of good cause is rendered by the court on the record.

1-58 SECTION 2. The changes in law made by this Act apply to a
1-59 suit affecting the parent-child relationship filed before, on, or
1-60 after the effective date of this Act.

2-1 SECTION 3. This Act takes effect September 1, 2021.

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