

By: Dutton

H.B. No. 2551

Substitute the following for H.B. No. 2551:

By: Shaheen

C.S.H.B. No. 2551

A BILL TO BE ENTITLED

AN ACT

relating to certain placements for children in the conservatorship of the Department of Family and Protective Services.

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

SECTION 1. Section 262.1095(a), Family Code, is amended to read as follows:

(a) When the Department of Family and Protective Services or another agency takes possession of a child under this chapter, the department:

(1) shall provide information as prescribed by this section to each adult the department is able to identify and locate who is:

(A) related to the child within the fourth [~~third~~] degree by consanguinity as determined under Chapter 573, Government Code;

(B) an adult relative of the alleged father of the child if the department has a reasonable basis to believe the alleged father is the child's biological father; or

(C) identified as a potential relative or designated caregiver, as defined by Section 264.751, on the proposed child placement resources form provided under Section 261.307; and

(2) may provide information as prescribed by this section to each adult the department is able to identify and locate

1 who has a long-standing and significant relationship with the
2 child.

3 SECTION 2. Section 262.114, Family Code, is amended by
4 adding Subsection (d) to read as follows:

5 (d) In making a placement decision for a child, the
6 department shall give preference to persons in the following order:

7 (1) a person related to the child by blood, marriage,
8 or adoption;

9 (2) a person with whom the child has a long-standing
10 and significant relationship;

11 (3) a foster home; and

12 (4) a general residential operation.

13 SECTION 3. Section 264.752, Family Code, is amended by
14 adding Subsections (b) and (b-1) to read as follows:

15 (b) Except as provided by Subsection (b-1), the department
16 may not place a child with a relative or other designated caregiver
17 under the program, unless the child's parent or other person having
18 legal custody of the child, other than the department, consents to
19 the placement. The parent or other person having legal custody of
20 the child may withdraw consent at any time.

21 (b-1) The department may place a child with a relative or
22 other designated caregiver under the program without the consent of
23 the child's parent or other person having legal custody of the child
24 if a court determines that the child's parent or other person having
25 legal custody of the child is unreasonably withholding consent to
26 the placement.

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