

By: Eckhardt

S.B. No. 1349

A BILL TO BE ENTITLED

AN ACT

relating to placing a child in the possessory conservatorship of the child's parents in certain situations.

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

SECTION 1. Subchapter F, Chapter 263, Family Code, is amended by adding Section 263.504 to read as follows:

Sec. 263.504. RETURNING CHILD TO PARENT. (a) At each placement review hearing after the second anniversary of the date the court rendered the final order naming the department or another person as the child's managing conservator without terminating parental rights, the department shall review the child's placement to determine whether the child could be returned to the child's parent if the parent was named possessory conservator for the child in the final order.

(b) The department may recommend reunification with the child's parent if the department finds:

(1) the parent of the child has remedied the condition or conditions that led to removal of the child;

(2) the parent of the child is willing and able to care for the child;

(3) the best interest of the child will be served by placing the child with the child's parent;

(4) the child's preference is to reside with the child's parent; and

1 (5) the child does not have other options for
2 permanency.

3 (c) The court may return the child to the child's parent if
4 the court finds it is in the best interest of the child.

5 SECTION 2. The change in law made by this Act applies to a
6 placement review hearing held on or after the effective date of this
7 Act regardless of the date on which the Department of Family and
8 Protective Services is named the child's managing conservator.

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