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| BILL ANALYSIS |

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| H.B. 347 |
| By: Johnson, Jarvis |
| Homeland Security & Public Safety |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE** In Texas, when a law enforcement officer arrests someone who has a child with them, the officer may release the child to a juvenile probation department, the Department of Family and Protective Services, or another person authorized to care for the child. Across the state, law enforcement agencies are one of the highest reporters to Child Protective Services (CPS). However, given that children who are with their parent during an arrest are not necessarily being abused or neglected, the state should seek to reduce children's interaction with CPS when it is not necessary. H.B. 347 seeks to address this issue by requiring each law enforcement agency in Texas to adopt a policy regarding the safe placement of children in the care, custody, or control of a person at the time the person is arrested. |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS** H.B. 347 amends the Code of Criminal Procedure to require each law enforcement agency in Texas to adopt not later than June 1, 2024, a written policy regarding the safe placement of a child who is in the care, custody, or control of an arrested person at the time of the person's arrest. The policy must require the following:* that the arresting officer attempt to locate a competent adult identified by the arrested person to whom the officer may release the child;
* that the officer, before releasing the child to that adult, do the following:
	+ verify the adult is at least 18 years of age;
	+ search relevant databases of the National Crime Information Center system to verify that the adult meets certain criteria; and
	+ collect information about the child's placement to provide to the arrested person on the person's release;
* that the officer, if unable to locate a competent adult after a reasonable period of time and a good faith effort, may release the child to a safe living arrangement determined under the bill's provisions; and
* that the officer, if unable to locate a safe living arrangement after a reasonable period of time and a good faith effort, may release the child to a victim services-related division within the law enforcement agency to arrange the child's release to the Department of Family and Protective Services.

The bill requires each law enforcement agency to coordinate with child-care providers, nonprofit organizations, and faith-based entities in the agency's region to develop options for safe living arrangements for such a child and to develop an agreement that provides the procedures for the agency to release a child to the care of those entities. |
| **EFFECTIVE DATE** September 1, 2023. |