

BILL ANALYSIS

C.S.H.B. 637
By: Bailes
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, permanency care assistance payments to a foster child's kinship provider may only be continued after the child turns 18 if the Department of Family and Protective Services first entered into a permanency care assistance agreement with a foster child's kinship provider after the child's 16th birthday. This limitation may become problematic for youth within the kinship care program who turn 18 before they graduate high school. The final years of high school can be some of the most financially burdensome educational years due to added expenses associated with graduation and beginning the next chapter in life. C.S.H.B. 637 seeks to provide for the continuation of the assistance payments after the month in which the child turns 18 if the child is regularly attending high school or enrolled in a program leading toward a high school diploma or high school equivalency certificate.

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

C.S.H.B. 637 amends the Family Code to require a permanency care assistance agreement between the Department of Family and Protective Services (DFPS) and a foster child's kinship provider to provide for permanency care assistance payments until the later of:

- the last day of the month of the child's 18th birthday; or
- if the child is regularly attending high school or enrolled in a program leading toward a high school diploma or high school equivalency certificate, the last day of the month in which the child graduates from high school or completes the program.

These provisions apply only to an agreement entered into on or after the bill's effective date.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 637 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both the introduced and the substitute provide for the permanency care assistance payments to continue after the month in which a child attains the age of 18 as long as the child is regularly attending high school or enrolled in a program leading toward a high school diploma or high school equivalency certificate. However, whereas the introduced authorized DFPS to continue the payments at its own discretion, with no specified end date for the payments, the substitute requires instead that the agreement between DFPS and the child's kinship provider provide for the payments to continue until the last day of the month in which the child graduates from high school or completes the program, if applicable.