88R11293 AMF-D

By:  Campos H.B. No. 2707

A BILL TO BE ENTITLED

AN ACT

relating to the temporary emergency care of 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 264.107, Family Code, is amended by amending Subsection (g) and adding Subsection (h) to read as follows:

(g)  If the department or single source continuum contractor is unable to find an appropriate placement for a child, an employee of the department or contractor who has on file with the department or contractor, as applicable, a background and criminal history check may provide temporary emergency care for the child. The employee may not provide emergency care under this subsection in the employee's residence. The department or contractor shall provide notice to the court for a child placed in temporary care under this subsection not later than the next [~~business~~] day after the date the child is placed in temporary care.

(h)  The department may enter into a residential lease contract for the purpose of providing temporary emergency care under Subsection (g). Placement of a child in a residence under this subsection is not a substitute for an appropriate placement and the department or single source continuum contractor shall continue to make best efforts to find an appropriate placement for the child. The department shall maintain a database of leased residences available for the provision of temporary emergency care.

SECTION 2.  Section 264.1071, Family Code, is amended to read as follows:

Sec. 264.1071.  OFFICE AND HOTEL STAYS PROHIBITED. (a) In this section, "hotel" means a building in which members of the public obtain temporary lodging for a fee. The term includes a motel.

(b)  The department may not allow a child under temporary emergency care to stay overnight in a department office or hotel.

SECTION 3.  (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2023.

(b)  The changes in law made by this Act to Section 264.1071, Family Code, take effect March 1, 2024.