88R12585 AMF-F

By:  Garcia H.B. No. 3189

A BILL TO BE ENTITLED

AN ACT

relating to information provided to an individual identified as a potential relative or designated caregiver of a child 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(b), Family Code, is amended to read as follows:

(b)  The information provided under Subsection (a) must:

(1)  state that the child has been removed from the child's home and is in the temporary managing conservatorship of the department;

(2)  explain the options available to the individual to participate in the care and placement of the child and the support of the child's family, the methods by which the individual may exercise those options, and any requirements the individual must satisfy to exercise those options, including:

(A)  the requirement that the individual be evaluated by the Department of Family and Protective Services under Section 262.114 before the individual may serve as a substitute caregiver and an explanation of the minimum living standards used to evaluate the individual's home under the home study required by Section 262.114(a), including:

(i)  requirements regarding appropriate sleeping arrangements for the child;

(ii)  spatial requirements for the home, including any play spaces; and

(iii)  any exceptions to the minimum living standards that may be made based on the child's age, the child's needs, or the individual's capacity to reasonably comply; and

(B)  the deadlines before which the individual must respond to exercise those options;

(3)  identify the options available to the individual that may be lost if the individual fails to respond in a timely manner;

(4)  include, if applicable, the date, time, and location of the hearing under Subchapter C, Chapter 263; and

(5)  include information regarding the procedures and timeline for a suit affecting the parent-child relationship under this chapter.

SECTION 2.  This Act takes effect September 1, 2023.