

By: Hinojosa

H.B. No. 1045

A BILL TO BE ENTITLED

AN ACT

1
2 relating to prohibiting the dismissal of certain suits affecting
3 the parent-child relationship involving the Department of Family
4 and Protective Services.

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

6 SECTION 1. Subchapter E, Chapter 263, Family Code, is
7 amended by adding Section 263.4012 to read as follows:

8 Sec. 263.4012. PROHIBITING DISMISSAL WHEN CHILD IS MISSING.

9 Notwithstanding Section 263.401, the court shall retain
10 jurisdiction and may not dismiss the suit as required by that
11 section if the court finds the child is missing from the child's
12 substitute care provider.

13 SECTION 2. Section 263.501(g), Family Code, is amended to
14 read as follows:

15 (g) Unless the child is adopted or permanent managing
16 conservatorship of the child is awarded to an individual other than
17 the department, a [A] court required to conduct permanency hearings
18 for a child for whom the department has been appointed permanent
19 managing conservator may not dismiss a suit affecting the
20 parent-child relationship filed by the department regarding the
21 child while the child is:

22 (1) committed to the Texas Juvenile Justice Department
23 or released under the supervision of the Texas Juvenile Justice
24 Department; or

1 (2) missing from the child's substitute care
2 provider~~[, unless the child is adopted or permanent managing~~
3 ~~conservatorship of the child is awarded to an individual other than~~
4 ~~the department].~~

5 SECTION 3. This Act takes effect September 1, 2023.