

By: Garcia, Rose, Lozano, Shaheen,
A. Johnson of Harris

H.B. No. 3189

A BILL TO BE ENTITLED

AN ACT

1
2 relating to information provided to an individual identified as a
3 potential relative or designated caregiver of a child in the
4 conservatorship of the Department of Family and Protective
5 Services.

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

7 SECTION 1. Section 262.1095(b), Family Code, is amended to
8 read as follows:

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

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

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

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

24 (i) requirements regarding appropriate

1 sleeping arrangements for the child;

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

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

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

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

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

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

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