

By: Garcia

H.B. No. 5044

A BILL TO BE ENTITLED

1 AN ACT
2 relating to communicating the foster children's bill of rights to a
3 child and a process for reporting violations to the Department of
4 Family and Protective Services.

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

6 SECTION 1. Sections 263.008(c) and (g), Family Code, are
7 amended to read as follows:

8 (c) The department shall provide a written copy of the
9 foster children's bill of rights to each child placed in foster care
10 in the child's primary language, if possible, and shall inform the
11 child of the rights described by the foster children's bill of
12 rights:

13 (1) orally in the child's primary language, if
14 possible, and in simple, nontechnical terms that are
15 developmentally appropriate and can reasonably be expected to
16 result in successful communication with the child based on the
17 child's age and development; [or]

18 (2) in writing in a manner that is developmentally
19 appropriate and utilizes language in a manner that can reasonably
20 be expected to result in successful communication with the child
21 based on the child's age and development; or

22 (3) for a child who has a disability, including an
23 impairment of vision or hearing, through any means that can
24 reasonably be expected to result in successful communication with

1 the child.

2 (g) The department shall develop and implement a policy for
3 receiving and handling reports that the rights of a child in foster
4 care are not being observed. The department shall inform a child in
5 foster care and, if appropriate, the child's parent, managing
6 conservator, or guardian of the method for filing a report with the
7 department under this subsection. Information provided to a child
8 under this subsection must be communicated orally and in writing in
9 a manner that is developmentally appropriate for each child and can
10 reasonably be expected to result in successful communication with
11 the child based on the child's age and development.

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