

BILL ANALYSIS

C.S.S.B. 2041
By: Hancock
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The bill sponsor has informed the committee that placement stability is a critical part of the overall well-being of a child and determining positive placements for both foster care children and foster parent or kinship placements. C.S.S.B. 2041 seeks to ensure that the long-term care needs of a child are considered in a prospective placement.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 2041 amends the Family Code to require the Department of Family and Protective Services (DFPS), before placing a child in contract residential care, to attempt to place the child with a relative or other designated caregiver as required by applicable state law. Additionally, the bill revises the following requirements relating to the placement of a child, as follows:

- with respect to the requirement for DFPS to consider whether a placement is in a child's best interest, specifies that the DFPS does so in selecting a contract residential placement for the child; and
- expands the criteria DFPS must consider in determining whether a placement is in a child's best interest to include whether the placement is able to meet the long-term needs of the child, including placement stability.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE

While C.S.S.B. 2041 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.

While both versions expand the criteria DFPS must consider, in determining whether a placement is in a child's best interest, to include whether the placement is able to meet the long-term needs of the child, including placement stability, the substitute also does the following which the engrossed did not:

- includes a provision requiring DFPS, before placing a child in contract residential care, to attempt to place the child with a relative or other designated caregiver; and
- specifies, with respect to the requirement for DFPS to consider whether a placement is in a child's best interest, that DFPS does so in selecting a contract residential placement for the child.