

By: Gervin-Hawkins

H.B. No. 1440

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the Department of Family and Protective Services'  
3 annual report of key performance measures and data elements for  
4 child protection; authorizing a penalty.

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

6 SECTION 1. Section 264.001, Family Code, is amended by  
7 adding Subdivision (6) to read as follows:

8 (6) "Substitute care" has the meaning assigned by  
9 Section 263.001.

10 SECTION 2. Section 264.017, Family Code, is amended by  
11 amending Subsection (b) and adding Subsection (g) to read as  
12 follows:

13 (b) The department shall provide the report required by  
14 Subsection (a) to the legislature and shall publish the report and  
15 make the report available electronically to the public, including  
16 by posting the report on the department's Internet website, not  
17 later than February 1 of each year. The report must include, with  
18 respect to the preceding year:

19 (1) information on the number and disposition of  
20 reports of child abuse and neglect received by the department;

21 (2) information on the number of children [~~clients~~]  
22 for whom the department took protective action, including  
23 investigations, alternative responses, and court-ordered removals;

24 (3) information on the number of children [~~clients~~]

1 for whom the department provided services in each program  
2 administered by the child protective services division, including  
3 investigations, alternative responses, family-based safety  
4 services, conservatorship, post-adoption services, and  
5 transitional living services;

6 (4) the number of children in this state who died as a  
7 result of child abuse or neglect;

8 (5) the number of children described by Subdivision  
9 (4) for whom the department was the children's managing conservator  
10 at the time of death;

11 (6) information on the timeliness of the department's  
12 initial contact in an investigation or alternative response;

13 (7) information on the response time by the department  
14 in commencing services to families and children for whom an  
15 allegation of child abuse or neglect has been made;

16 (8) information regarding child protection staffing  
17 and caseloads by program area;

18 (9) information on the permanency goals in place and  
19 achieved for children in the managing conservatorship of the  
20 department, including information on the timeliness of achieving  
21 the goals, the stability of the children's placement in foster  
22 care, and the proximity of placements to the children's home  
23 counties;

24 (10) the number of children who suffer from a severe  
25 emotional disturbance and for whom the department is appointed  
26 managing conservator, including statistics on appointments as  
27 joint managing conservator, due to an individual voluntarily

1 relinquishing custody of a child solely to obtain mental health  
2 services for the child;

3 (11) the number of children who are pregnant or a  
4 parent while in the managing conservatorship of the department and  
5 the number of the children born to a parent in the managing  
6 conservatorship of the department who are placed in the managing  
7 conservatorship of the department;

8 (12) the number of children who are missing from the  
9 children's substitute care provider while in the managing  
10 conservatorship of the department; ~~and~~

11 (13) of the children identified under Subdivision  
12 (12):

13 (A) the number of children who were located and  
14 returned to substitute care;

15 (B) the actions taken by the department to locate  
16 those children; and

17 (C) the outcome of each child's case;

18 (14) the number of children who were victims of  
19 trafficking under Chapter 20A, Penal Code, while in the managing  
20 conservatorship of the department;

21 (15) of the children identified under Subdivision  
22 (14):

23 (A) the actions taken by the department to  
24 resolve each case; and

25 (B) the outcome of each child's case;

26 (16) information on the program under Subchapter I,  
27 including:

1           (A) the number of children placed with a relative  
2 or designated caregiver;

3           (B) the percentage of children in the managing  
4 conservatorship of the department who are placed with a relative or  
5 designated caregiver;

6           (C) statistics on the age and race of the  
7 children placed with a relative or designated caregiver;

8           (D) the number of children placed with a relative  
9 or designated caregiver who were part of a sibling group;

10          (E) the number of relative or designated  
11 caregivers who receive financial assistance; and

12          (F) outcome information for children placed with  
13 a relative or designated caregiver including:

14               (i) how many months children spent with a  
15 relative or designated caregiver before a case was closed;

16               (ii) the rates of types of resolutions for  
17 closed cases; and

18               (iii) statistics comparing the outcomes for  
19 relative or designated caregiver placements with and without  
20 financial assistance;

21          (17) information on the number of substitute care  
22 providers, other than relative or designated caregivers, who  
23 received financial assistance;

24          (18) the number of complaints brought against  
25 substitute care providers;

26          (19) the number of children in relative or designated  
27 caregiver placements reunified with their families; and

1           (20) the number of children in substitute care, other  
2 than relative or designated caregiver placements, reunified with  
3 their families.

4           (g) The comptroller shall assess a penalty against the  
5 department in the amount of \$1,000 for each day after February 1 the  
6 department has not filed the report under Subsection (b). The  
7 comptroller shall reallocate the amount assessed as a penalty under  
8 this subsection as necessary to allow the department to use the  
9 money to provide monetary assistance to relative and other  
10 designated caregivers under Section [264.755](#).

11           SECTION 3. This Act takes effect September 1, 2025.