

By: Johnson

H.B. No. 4805

Substitute the following for H.B. No. 4805:

By: Leach

C.S.H.B. No. 4805

A BILL TO BE ENTITLED

1 AN ACT

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 AND RETAINING
9 JURISDICTION WHEN CHILD IS MISSING. (a) Notwithstanding Section
10 263.401, if the court finds the child is missing from the child's
11 substitute care provider, the court shall retain jurisdiction and
12 schedule a new dismissal date that is 180 days after the last
13 dismissal date. The court may not dismiss the case until the
14 earlier of the date the child is found or the date on which the child
15 would no longer be eligible to receive department services or
16 benefits.

17 (b) If the court retains jurisdiction under Subsection (a)
18 but does not commence the trial on the merits before the dismissal
19 date, the court's jurisdiction over the suit is terminated and the
20 suit is automatically dismissed without a court order.

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

23 (g) Unless the child is adopted or permanent managing
24 conservatorship of the child is awarded to an individual other than

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1 the department, a [A] court required to conduct permanency hearings
2 for a child for whom the department has been appointed permanent
3 managing conservator may not dismiss a suit affecting the
4 parent-child relationship filed by the department regarding the
5 child while the child is:

6 (1) committed to the Texas Juvenile Justice Department
7 or released under the supervision of the Texas Juvenile Justice
8 Department; or

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

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