

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

AN ACT

relating to prohibiting the dismissal of certain suits affecting the parent-child relationship involving the Department of Family and Protective Services.

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

SECTION 1. Subchapter E, Chapter 263, Family Code, is amended by adding Section 263.4012 to read as follows:

Sec. 263.4012. PROHIBITING DISMISSAL AND RETAINING JURISDICTION WHEN CHILD IS MISSING. (a) Notwithstanding Section 263.401, if the court finds the child is missing from the child's substitute care provider, the court shall retain jurisdiction and schedule a new dismissal date that is 180 days after the last dismissal date. The court may not dismiss the case until the earlier of the date the child is found or the date on which the child would no longer be eligible to receive department services or benefits.

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

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

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

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.