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**The following 24 amendments were
published on 2/28/17 6:06 PM**



17 FEB 28 PM 3:41

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Luskin

1 Amend C.S.H.B. No. 5 (house committee report) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION ____ . Section 40.003, Human Resources Code, is
5 amended to read as follows:

6 Sec. 40.003. SUNSET PROVISION. The Department of Family
7 and Protective Services is subject to Chapter 325, Government Code
8 (Texas Sunset Act). Unless continued in existence as provided by
9 that chapter, the department is abolished and this chapter expires
10 September 1, 2019 [~~2023~~].



17 FEB 28 PM 3:41

HOUSE OF REPRESENTATIVES

Anchia

FLOOR AMENDMENT NO. _____

BY:

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 16, strike lines 1-5 and substitute the
3 following:

4 (b) The council is composed of the following nine members:

5 (1) three members of the public appointed by the
6 governor;

7 (2) three members of the public appointed by the
8 lieutenant governor; and

9 (3) three members of the public appointed by the
10 speaker of the house of representatives.

11 (b-1) To be eligible for appointment to the council, a
12 person must have demonstrated an interest in and knowledge of
13 problems and available services related to the functions of the
14 department.

15 (2) On page 16, between lines 20 and 21, insert the
16 following:

17 (h) A person may not be a member of the council if the person
18 or the person's spouse:

19 (1) is employed by or participates in the management
20 of a business entity or other organization receiving money from the
21 department;

22 (2) owns or controls, directly or indirectly, an
23 interest in a business entity or other organization receiving money
24 from the department; or

25 (3) uses or receives a substantial amount of tangible
26 goods, services, or money from the department.

27 (i) A person appointed to the council shall disclose to the
28 department each political contribution to a candidate for a state
29 or federal office of \$1,000 or more made by the person in the five

1 years preceding the person's appointment and each year after the
2 person's appointment until the person's term expires. The
3 department annually shall post a report of the political
4 contributions made by council members on the department's publicly
5 accessible Internet website and post a link to the report on the
6 council's main Internet web page.



17 FEB 28 PM 4:44

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Nick Coli

Amend __.B. No. 5 by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS accordingly:

SECTION ____ . Subchapter B, Chapter 40, Human Resources Code, is amended by adding Section 40.0371 to read as follows:

Sec. 40.0371. CULTURAL SENSITIVITY TRAINING FOR CHILD PROTECTIVE SERVICES INVESTIGATORS AND CASEWORKERS. The department shall ensure that each child protective services investigator and caseworker receives cultural sensitivity training through a program developed in coordination with the State Disproportionality Manager for the Department of Family and Protective Services that addresses the conduct of investigators and caseworkers when handling cases involving families from different racial and ethnic groups and socioeconomic backgrounds.



FLOOR AMENDMENT NO. _____

17 FEB 27 PM 2:40

BY: *[Handwritten Signature]*

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. No. 5 (house committee printing) by adding
2 the following appropriately numbered ARTICLE to the bill and
3 renumbering the remaining ARTICLES of the bill as appropriate:

4 ARTICLE ____ . DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

5 SECTION __.01. Subchapter D, Chapter 261, Family Code, is
6 amended by adding Section 261.317 to read as follows:

7 Sec. 261.317. LIMIT ON USE AND TRANSMISSION OF CERTAIN
8 PHOTOGRAPHIC EVIDENCE. Except as provided by Subsection (b),
9 the department may not request, use, or transmit by electronic
10 means any photograph of a child that depicts the child in any
11 state of undress.

12 SECTION __.02. Section 262.104, Family Code, as amended by
13 S.B. No. 219, Acts of the 84th Legislature, Regular Session,
14 2015, is amended by adding Subsection (c) to read as follows:

15 (c) Notwithstanding Subsections (a) and (b), the
16 Department of Family and Protective Services may not request or
17 accept the assistance of a law enforcement officer when taking
18 possession of a child without obtaining a temporary order,
19 temporary restraining order, or attachment under Section
20 262.102(a).

21 SECTION __.03. Subchapter B, Chapter 264, Family Code, is
22 amended by adding Section 264.1073 to read as follows:

23 Sec. 264.1073. OUT-OF-STATE PLACEMENTS. The department
24 may not place a child with a person who lives in another state
25 unless the person is the child's biological parent, brother,
26 sister, aunt, uncle, grandparent, or great-grandparent.

27 SECTION __.04. Subchapter B, Chapter 40, Human Resources
28 Code, is amended by adding Sections 40.038 and 40.039 to read as
29 follows:

1 Sec. 40.038. DISCIPLINARY ACTION; FALSE REPORTS. The
2 department's rules and procedures relating to disciplinary
3 action taken against department employees must provide for the
4 immediate dismissal of an employee who intentionally falsifies a
5 department document or places false or misleading information in
6 a department report.

7 Sec. 40.039. PROHIBITED ACTIONS. The department may not:

8 (1) retaliate or take any other adverse action
9 against a person who requests assistance from an elected
10 official relating to an action taken by the department;

11 (2) through the actions of a department employee,
12 intimidate a person;

13 (3) take an action against a person with the intent
14 to intimidate the person;

15 (4) through the actions of a department employee,
16 unreasonably delay or discourage a request for adoption; or

17 (5) take an action against a person with the intent
18 to unreasonably delay or discourage a request for adoption.



17 FEB 28 PM 1:26

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Jan B. Friel

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 12, line 17, strike "abuse or neglect" and
3 substitute "abuse, neglect, or exploitation".

4 (2) On page 22, line 10, following "services," insert
5 "subject to approval by the governor,".

6 (3) On page 22, line 12, strike ", subject to the approval of
7 the governor,".

8 (4) On page 23, line 7, strike "Subchapter C,".

9 (5) Add the following appropriately numbered Section to the
10 bill and renumber subsequent Sections accordingly:

11 SECTION _____. Chapter 266, Family Code, is amended by
12 adding Section 266.013 to read as follows:

13 Sec. 266.013. CONTINUITY OF SERVICES PROVIDED BY
14 COMMISSION. (a) In addition to the requirements of Section
15 266.003(d), the commission shall continue to provide any services
16 to children in the conservatorship of the department that the
17 commission provided to those children before September 1, 2017.

18 (b) Subsection (a) does not apply to any services provided
19 by the commission in relation to a child's education passport
20 created under Section 266.008.



17 FEB 28 PM 4:48

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Mary Gandy

1 Amend H.B. 5 by adding the following appropriately
2 numbered SECTIONS to the bill and renumbering subsequent SECTIONS
3 of the bill accordingly:

4 SECTION _____. Subchapter B, Chapter 40, Human Resources
5 Code, is amended by adding Section 40.0331 to read as follows:

6 Sec. 40.0331. SUPPLEMENTAL PAY FOR PROFICIENCY IN A FOREIGN
7 LANGUAGE. (a) In this section, "employee" means a person who is
8 employed by the department as:

9 (1) a direct delivery caseworker in the adult
10 protective services, child protective services, child care
11 licensing, or statewide intake division of the department;

12 (2) a human services technician in the child
13 protective services division of the department; or

14 (3) an administrative assistant in the adult
15 protective services, child protective services, child care
16 licensing, or statewide intake division of the department.

17 (b) The department shall pay a supplement not to exceed 6.8
18 percent of the employee's base salary to an employee who is
19 proficient in both English and a second language if:

20 (1) the executive commissioner determines that:

21 (A) proficiency in the second language is
22 beneficial to serving the department's clients; and

23 (B) there is not an efficient alternative
24 available to meet the department's needs; and

25 (2) the employee is able to demonstrate proficiency in
26 the second language by demonstrating reading, writing, and
27 conversation skills as determined by the department.

28 (c) Supplemental pay to an employee under this section is in
29 addition to the employee's regular compensation.

1 (d) The executive commissioner shall develop a procedure to
2 determine an employee's foreign language proficiency for purposes
3 of Subsection (b), including establishing or adopting a foreign
4 language proficiency exam.

5 (e) The department shall assume the costs associated with
6 administering the foreign language proficiency exam established or
7 adopted under Subsection (d) to employees.

8 (f) The division, district, or regional director of the
9 department where an employee is located shall determine whether the
10 employee in the division, district, or region is eligible under
11 Subsection (b) to receive supplemental pay. The manager or
12 supervisor of the employee shall verify that an employee who
13 applies to receive supplemental payments under this section meets
14 the eligibility requirements under Subsection (b) before approving
15 supplemental pay and that qualified employees receive supplemental
16 payments.

17 (g) An employee may apply to receive supplemental pay under
18 this section at any time during the employee's active employment
19 with the department.

20 (h) Supplemental pay given to employees under this section
21 must comply with human resources policies of the commission and
22 salary guidelines for the department.

23 (i) The department shall include information about the
24 supplemental pay available to a qualified employee under this
25 section in employment application forms and new employee
26 orientation presentations.

27 SECTION _____. Not later than September 1, 2019, the
28 executive commissioner of the Health and Human Services Commission
29 shall adopt rules to implement Section 40.0331, Human Resources
30 Code, as added by this Act.



17 FEB 28 PM 4:49

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend H.B No. 5 by adding the following appropriately
2 numbered SECTIONS to the bill and renumbering subsequent SECTIONS
3 accordingly:

4 SECTION __. Subchapter B, Chapter 264, Family Code, is
5 amended by adding Section 264.1076 to read as follows:

6 Sec. 264.1076. MEDICAL EXAMINATION REQUIRED. (a) This
7 section applies only to a child who has been taken into possession
8 by the department or another governmental entity and remains in the
9 custody of the department or entity for more than 30 days.

10 (b) The department shall ensure that each child described by
11 Subsection (a) is examined by a physician not later than the 30th
12 day after the date the child is removed from the child's home.

13 SECTION __. Section 264.1076, Family Code, as added by this
14 Act, applies only to a child who is taken into possession by the
15 Department of Family and Protective Services or another
16 governmental entity on or after the effective date of this Act. A
17 child taken into possession by the Department of Family and
18 Protective Services or another governmental entity before the
19 effective date of this Act is governed by the law in effect on the
20 date the child was taken into possession, and the former law is
21 continued in effect for that purpose.



17 FEB 28 AM 9:16

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Hernandez

1 Amend C.S.H.B. No. 5 (House Committee Report) as follows:

2 (1) On page 12, strike lines 17-20 and substitute the
3 following:

4 (D) investigations of alleged abuse, neglect, or
5 exploitation occurring at a child-care facility, as that term is
6 defined in Section 40.042, Human Resources Code; and

7 (2) Add the following appropriately numbered SECTIONS to
8 the bill and renumber subsequent SECTIONS of the bill accordingly:

9 SECTION _____. Section 261.001, Family Code, is amended by
10 adding Subdivision (3) and amending Subdivision (5) to read as
11 follows:

12 (3) "Exploitation" means the illegal or improper use
13 of a child or of the resources of a child for monetary or personal
14 benefit, profit, or gain by an employee, volunteer, or other
15 individual working under the auspices of a facility or program as
16 further described by rule or policy.

17 (5) "Person responsible for a child's care, custody,
18 or welfare" means a person who traditionally is responsible for a
19 child's care, custody, or welfare, including:

20 (A) a parent, guardian, managing or possessory
21 conservator, or foster parent of the child;

22 (B) a member of the child's family or household
23 as defined by Chapter 71;

24 (C) a person with whom the child's parent
25 cohabits;

26 (D) school personnel or a volunteer at the
27 child's school; ~~or~~

28 (E) personnel or a volunteer at a public or
29 private child-care facility that provides services for the child or

1 at a public or private residential institution or facility where
2 the child resides; or

3 (F) an employee, volunteer, or other person
4 working under the supervision of a licensed or unlicensed
5 child-care facility, including a family home, residential
6 child-care facility, employer-based day-care facility, or shelter
7 day-care facility, as those terms are defined in Chapter 42, Human
8 Resources Code.

9 SECTION _____. Section 261.101(b), Family Code, is amended
10 to read as follows:

11 (b) If a professional has cause to believe that a child has
12 been abused or neglected or may be abused or neglected, or that a
13 child is a victim of an offense under Section 21.11, Penal Code, and
14 the professional has cause to believe that the child has been abused
15 as defined by Section 261.001 [~~or 261.401~~], the professional shall
16 make a report not later than the 48th hour after the hour the
17 professional first suspects that the child has been or may be abused
18 or neglected or is a victim of an offense under Section 21.11, Penal
19 Code. A professional may not delegate to or rely on another person
20 to make the report. In this subsection, "professional" means an
21 individual who is licensed or certified by the state or who is an
22 employee of a facility licensed, certified, or operated by the
23 state and who, in the normal course of official duties or duties for
24 which a license or certification is required, has direct contact
25 with children. The term includes teachers, nurses, doctors,
26 day-care employees, employees of a clinic or health care facility
27 that provides reproductive services, juvenile probation officers,
28 and juvenile detention or correctional officers.

29 SECTION _____. Sections 261.301(b), (c), (f), and (h),
30 Family Code, are amended to read as follows:

31 (b) The department [~~A state agency~~] shall investigate a

1 report that alleges abuse, ~~[or]~~ neglect, or exploitation occurred
2 in a facility operated, licensed, certified, or registered by a
3 state ~~[that]~~ agency, ~~[as provided by Subchapter E. In conducting an~~
4 ~~investigation for]~~ including a facility operated, licensed,
5 certified, registered, or listed by the department, ~~[the department~~
6 ~~shall perform the investigation]~~ as provided by:

- 7 (1) Subchapter E; and
8 (2) the Human Resources Code.

9 (c) The department is not required to investigate a report
10 that alleges child abuse, ~~[or]~~ neglect, or exploitation by a person
11 except as provided by Subsections (a) and (b) ~~[other than a person~~
12 ~~responsible for a child's care, custody, or welfare]~~. The
13 appropriate state or local law enforcement agency shall investigate
14 other reports of child abuse, neglect, or exploitation ~~[that~~
15 ~~report]~~ if the agency determines an investigation should be
16 conducted.

17 (f) An investigation of a report to the department that
18 alleges that a child has been or may be the victim of conduct that
19 constitutes a criminal offense that poses an immediate risk of
20 physical or sexual abuse of a child that could result in the death
21 of or serious harm to the child shall be conducted jointly by a
22 peace officer, as defined by Article 2.12, Code of Criminal
23 Procedure, from the appropriate local law enforcement agency and
24 the department ~~[or the agency responsible for conducting an~~
25 ~~investigation under Subchapter E]~~.

26 (h) The department and the appropriate local law
27 enforcement agency shall conduct an investigation~~[, other than an~~
28 ~~investigation under Subchapter E,]~~ as provided by this section and
29 Article 2.27, Code of Criminal Procedure, if the investigation is
30 of a report that alleges that a child has been or may be the victim
31 of conduct that constitutes a criminal offense that poses an

1 immediate risk of physical or sexual abuse of a child that could
2 result in the death of or serious harm to the child. Immediately on
3 receipt of a report described by this subsection, the department
4 shall notify the appropriate local law enforcement agency of the
5 report.

6 SECTION _____. Subchapter B, Chapter 40, Human Resources
7 Code, is amended by adding Section 40.042 to read as follows:

8 Sec. 40.042. INVESTIGATIONS OF CHILD ABUSE, NEGLECT, AND
9 EXPLOITATION. (a) In this section, "child-care facility" includes
10 a facility, licensed or unlicensed child-care facility, family
11 home, residential child-care facility, employer-based day-care
12 facility, or shelter day-care facility, as those terms are defined
13 in Chapter 42.

14 (b) For all investigations of child abuse, neglect, or
15 exploitation conducted by the child protective services division of
16 the department, the department shall adopt the definitions of
17 abuse, neglect, and exploitation provided in Section 261.001,
18 Family Code.

19 (c) The department shall establish standardized policies to
20 be used during investigations.

21 (d) The commissioner may establish units within the child
22 protective services division of the department to specialize in
23 investigating allegations of child abuse, neglect, or exploitation
24 occurring at a child-care facility.

25 (e) The department may require that investigators who
26 specialize in allegations of child abuse, neglect, and exploitation
27 occurring at child-care facilities receive ongoing training on the
28 minimum licensing standards for any facilities that are applicable
29 to the investigator's specialization.

30 (f) After an investigation of abuse, neglect, or
31 exploitation occurring at a child-care facility, the department

1 shall provide the state agency responsible for regulating the
2 facility with access to any information relating to the
3 department's investigation. Providing access to confidential
4 information under this subsection does not constitute a waiver of
5 confidentiality.

6 (g) The executive commissioner may adopt rules to implement
7 this section.

8 SECTION _____. Section 42.002(23), Human Resources Code, is
9 amended to read as follows:

10 (23) "Other maltreatment" means:

11 (A) abuse, as defined by Section 261.001 [~~ex~~
12 ~~261.401~~], Family Code; or

13 (B) neglect, as defined by Section 261.001 [~~ex~~
14 ~~261.401~~], Family Code.

15 SECTION _____. Section 42.044(c-1), Human Resources Code, is
16 amended to read as follows:

17 (c-1) The department:

18 (1) shall investigate a listed family home if the
19 department receives a complaint that:

20 (A) a child in the home has been abused or
21 neglected, as defined by Section 261.001 [~~261.401~~], Family Code; or

22 (B) otherwise alleges an immediate risk of danger
23 to the health or safety of a child being cared for in the home; and

24 (2) may investigate a listed family home to ensure
25 that the home is providing care for compensation to not more than
26 three children, excluding children who are related to the
27 caretaker.

28 SECTION _____. Sections 261.401(a) and (b), Family Code, are
29 repealed.

30 SECTION _____. (a) The changes in law made by this Act apply
31 only to a report of suspected abuse, neglect, or exploitation of a

1 child that is made on or after the effective date of this Act. A
2 report of suspected abuse, neglect, or exploitation that is made
3 before that date is governed by the law in effect on the date the
4 report was made, and that law is continued in effect for that
5 purpose.

6 (b) Notwithstanding any provision of Subchapter A-1,
7 Chapter 531, Government Code, or any other law, the responsibility
8 for conducting investigations of reports of abuse, neglect, or
9 exploitation occurring at a child-care facility, as that term is
10 defined in Section 40.042, Human Resources Code, as added by this
11 Act, may not be transferred to the Health and Human Services
12 Commission and remains the responsibility of the Department of
13 Family and Protective Services.

14 (c) As soon as possible after the effective date of this
15 section, the commissioner of the Department of Family and
16 Protective Services shall transfer the responsibility for
17 conducting investigations of reports of abuse, neglect, or
18 exploitation occurring at a child-care facility, as that term is
19 defined in Section 40.042, Human Resources Code, as added by this
20 Act, to the child protective services division of the department.
21 The commissioner shall transfer appropriate investigators and
22 staff as necessary to implement this subsection.

23 (d) The Department of Family and Protective Services shall
24 implement the standardized definitions and policies required under
25 Sections 40.042(b) and (c), Human Resources Code, as added by this
26 Act, not later than December 1, 2017.



17 FEB 28 PM 4:29
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Keough

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 264.203, Family Code, is amended by
5 amending Subsection (a) and adding Subsections (e) and (f) to read
6 as follows:

7 (a) Except as provided by Subsection (d), if the court finds
8 by clear and convincing evidence that abuse or neglect has occurred
9 or is likely to occur, the court on request of the department may
10 order the parent, managing conservator, guardian, or other member
11 of the subject child's household to:

12 (1) participate in the services the department
13 provides or purchases for:

14 (A) alleviating the effects of the abuse or
15 neglect that has occurred; or

16 (B) reducing the reasonable likelihood that the
17 child may be abused or neglected in the immediate or foreseeable
18 future; and

19 (2) permit the child and any siblings of the child to
20 receive the services.

21 (e) Before the court may order the participation of a
22 parent, managing conservator, guardian, or other member of the
23 subject child's household in services, the court shall advise any
24 person who is not represented by an attorney of:

25 (1) the right to be represented by an attorney; and

26 (2) if the person is indigent and opposes the order to
27 participate in services, the right to a court-appointed attorney,
28 subject to the procedures in Section 263.0061(b).

29 (f) If a parent, managing conservator, guardian, or other

1 member of the subject child's household is opposed to participating
2 in services and is not represented by an attorney at the hearing,
3 the court may not order the person to participate in services until
4 the person has either retained or been appointed an attorney.

5 SECTION _____. The changes in law made by this Act apply to a
6 suit affecting the parent-child relationship filed on or after the
7 effective date of this Act. A suit affecting the parent-child
8 relationship filed before the effective date of this Act is
9 governed by the law in effect on the date the suit was filed, and the
10 former law is continued in effect for that purpose.



17 FEB 28 AM 9:10

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Teach

1 Amend H.B. 5 by adding the following appropriately
2 numbered SECTIONS to the bill and renumbering subsequent SECTIONS
3 of the bill accordingly:

4 SECTION _____. Section 263.0021, Family Code, is amended by
5 adding Subsections (e) and (f) to read as follows:

6 (e) Notice of a hearing under this chapter provided to an
7 individual listed under Subsection (b)(2) must state that the
8 individual may, but is not required to, present evidence and be
9 heard at the hearing.

10 (f) In a hearing under this chapter, the court shall call an
11 individual listed under Subsection (b)(2) and the individual, at
12 the individual's discretion, may appear at the hearing and present
13 evidence and be heard regardless of whether either party calls the
14 individual to testify. If the individual testifies at the hearing,
15 the individual may be cross-examined by either party.

16 SECTION _____. The changes in law made by this Act to Section
17 263.0021, Family Code, apply to a suit affecting the parent-child
18 relationship filed on or after the effective date of this Act. A
19 suit affecting the parent-child relationship filed before the
20 effective date of this Act is governed by the law in effect on the
21 date the suit was filed, and the former law is continued in effect
22 for that purpose.



17 FEB 28 PM 4:05
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: *Alb. A. King*

1 Amend C.S.H.B. No. 5 (house committee printing) on page 16 by
2 striking lines 16-20 and substituting the following:

3 (g) One of the members of the council under Subsection (b)
4 must be a person who was a child in the foster care system.



17 FEB 28 PM 4:05

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: John A. Kelly

1 Amend C.S.H.B. No. 5 (house committee printing) by striking
2 page 16, lines 16-20, and substituting the following:

3 (g) One of the members of the council under Subsection (b)
4 must be a person who was a child in the foster care system. If after
5 conducting a search the governor determines that no person
6 qualified under this subsection is available, the governor may
7 appoint:

8 (1) a person who previously or currently serves as a
9 foster parent or a relative or other designated caregiver of a child
10 in the managing conservatorship of the department; or

11 (2) if after conducting a search the governor
12 determines that no person qualified under Subdivision (1) is
13 available, another person qualified under Subsection (b).



850808

FLOOR AMENDMENT NO. _____

17 FEB 28 PM 4:06

BY:

John A. King

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 16, line 1, strike "nine" and substitute "11".

3 (2) On page 16, between lines 20 and 21, insert the
4 following:

5 (h) One of the members of the council under Subsection (b)
6 must be or have been a foster parent, kinship caregiver, or
7 other designated caregiver of a child in the conservatorship of
8 the department and one of the members of the council under
9 Subsection (b) must be a child protective services caseworker or
10 a court-appointed volunteer advocate.



17 FEB 28 PM 4:19

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: 

1 Amend C.S.H.B. No. 5 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS accordingly:

4 SECTION _____. Section 264.004, Family Code, is amended by
5 adding Subsection (d) to read as follows:

6 (d) The department may use state and federal funds to
7 provide grants to charitable and faith-based organizations to
8 provide the benefits or services to children and families described
9 by Subsection (c). The executive commissioner shall adopt rules to
10 implement this subsection, including rules governing the
11 procedures for applying for and awarding grants.



FLOOR AMENDMENT NO. _____ **17 FEB 28 PM 4:44**
HOUSE OF REPRESENTATIVES

BY: Minjarez

- 1 Amend C.S.H.B. 5 (house committee printing) as follows:
- 2 (1) On page 21, line 19, strike "and".
- 3 (2) On page 21, line 27, strike "." and substitute ";
- 4 and".
- 5 (3) On page 21, after line 27, insert the following:
- 6 (6) a division of fair treatment that oversees a
- 7 child's freedom from unfair treatment because of the child's
- 8 gender, gender identity, race, ethnicity, religion, national
- 9 origin, disability, medical status, or sexual orientation.



17 FEB 28 PM 4:12

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Robert Neave

Amend C.S.H.B. No. 5 (house committee printing) on page 16,
between lines 20 and 21, by inserting the following:

(h) One of the members of the council under Subsection (b)
must be a person who has been employed by the department as a case
manager for at least three years.



850812

17 FEB 28 PM 4:13

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY:

Amend C.S.H.B. No. 5 (house committee printing) on page 16, between lines 20 and 21, by inserting the following:

(i) One of the members of the council under Subsection (b) must be a person with at least three years of experience as either a staff member or volunteer for Texas Court-Appointed Special Advocates (CASA) or Children's Advocacy Center of Texas.



850795

17 FEB 28 PM 12:30
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.H.B. No. 5 on page 12, line 7, by striking "other
2 than" and substituting "including [~~other than~~]".



FLOOR AMENDMENT NO. _____

BY: Raymond

1 Amend C.S.H.B. No. 5 by adding the following appropriately
2 numbered SECTION to the bill and renumbering subsequent SECTIONS of
3 the bill accordingly:

4 SECTION _____. Section 531.102(a), Government Code, is
5 amended to read as follows:

6 (a) The commission's office of inspector general is
7 responsible for the prevention, detection, audit, inspection,
8 review, and investigation of fraud, waste, and abuse in the
9 provision and delivery of all health and human services in the
10 state, including services through any state-administered health or
11 human services program that is wholly or partly federally funded or
12 services provided by the Department of Family and Protective
13 Services, and the enforcement of state law relating to the
14 provision of those services. The commission may obtain any
15 information or technology necessary to enable the office to meet
16 its responsibilities under this subchapter or other law.

HOUSE OF REPRESENTATIVES
17 FEB 28 PM 12:30



FLOOR AMENDMENT NO. _____

17 FEB 28 PM 4:52

BY:

HOUSE OF REPRESENTATIVES

1 Amend C.S.H.B. No. 5 (house committee printing) by adding
2 the following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. (a) Subchapter B, Chapter 40, Human
5 Resources Code, is amended by adding Section 40.0327 to read as
6 follows:

7 Sec. 40.0327. COMMUNITY INITIATIVE SPECIALIST. (a) The
8 department shall designate an employee of the department as the
9 community initiative specialist to serve as a liaison between
10 the department and nonprofit agencies that provide assistance to
11 families in crisis.

12 (b) The community initiative specialist shall assist
13 nonprofit agencies in the provision of services and resources to
14 families in crisis, including:

15 (1) temporary out-of-home placement of a child with a
16 caregiver;

17 (2) mentoring programs, transportation, babysitting
18 services, meal provision, and other support services;

19 (3) furniture, clothing, and other household items;

20 (4) parenting education training; and

21 (5) mentoring programs for young adults aging out of
22 foster care.

23 (b) The community initiative specialist position in the
24 Department of Family and Protective Services remains as a
25 position in the department after the department becomes an
26 independent state agency.



17 FEB 28 PM 4:39
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Chris T...

1 Amend C.S.H.B. No. 5 (house committee printing) as follows:

2 (1) On page 21, line 19, strike "and".

3 (2) On page 21, line 27, strike "." and substitute "; and".

4 (3) On page 21, immediately after line 27, add the
5 following:

6 (6) a division to oversee department programs and
7 outreach for youth in the conservatorship of the department who are
8 transitioning from foster care to independent living.



850810

17 FEB 28 PM 4:39

HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: _____

- 1 Amend C.S.H.B. No. 5 (house committee printing) as follows:
- 2 (1) On page 16, line 17, strike "If after".
- 3 (2) Strike page 16, lines 18-20.



17 FEB 28 PM 4:34
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: A. J. Walle

1 Amend C.S.H.B. 5 (house committee printing) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION __. Subchapter B, Chapter 40, Human Resources Code,
5 is amended by adding Section 40.0328 to read as follows:

6 Sec. 40.0328. CASELOAD LIMIT GOALS FOR CERTAIN CASEWORKERS.
7 To the extent appropriated money is available for the purpose, the
8 department shall work toward ensuring that the average caseload for
9 the following categories of caseworkers does not exceed the number
10 specified by this section:

11 (1) for caseworkers conducting child protective
12 services investigations, an average of 15 cases at any time;

13 (2) for child protective services caseworkers
14 providing family-based safety services, an average of 10 cases at
15 any time;

16 (3) for child protective services caseworkers
17 providing services through conservatorship programs, an average of
18 20 cases at any time;

19 (4) for child protective services caseworkers
20 providing services through foster and adoption programs, an average
21 of 20 cases at any time;

22 (5) for child-care licensing inspectors, an average
23 caseload of 64 nonresidential child-care facilities or registered
24 family homes at any time;

25 (6) for child-care licensing day-care investigators,
26 an average caseload of 17 investigations at any time; and

27 (7) for adult protective services specialists
28 providing adult protective services through in-home programs, an
29 average of 22 cases at any time.

1 SECTION __. Subchapter C, Chapter 40, Human Resources Code,
2 is amended by adding Section 40.073 to read as follows:

3 Sec. 40.073. ABUSE, NEGLECT, AND EXPLOITATION HOTLINE:

4 CALL PROCESSING GOALS. (a) With respect to the hotline maintained
5 by the department for purposes of receiving reports under Section
6 261.103, Family Code, and Section 48.051, to the extent
7 appropriated money is available for the purpose, the department
8 shall work toward ensuring that:

9 (1) the average hold time for calls to the hotline does
10 not exceed five minutes; and

11 (2) the call abandonment rate for each state fiscal
12 year does not exceed 25 percent.

13 (b) The commissioner by rule shall adopt the methodology to
14 be used to calculate the call abandonment rate referred to in
15 Subsection (a)(2).

16 SECTION __. Not later than December 1, 2018, the Department
17 of Family and Protective Services shall submit a report to the
18 standing committees of the senate and house of representatives
19 having primary jurisdiction over the department regarding the
20 department's progress in achieving:

21 (1) the caseload limit goals described in Section
22 40.0328, Human Resources Code, as added by this Act; and

23 (2) the call processing goals described in Section
24 40.073, Human Resources Code, as added by this Act.