

BILL ANALYSIS

Senate Research Center

C.S.S.B. 996
By: Lindsay
Human Services
3/18/1999
Committee Report (Substituted)

DIGEST

Currently, the Department of Protective and Regulatory Services (department) may pay reasonable funeral expenses for a child for whom the department has been appointed managing conservator and who dies while in foster care. Since these children are in the legal custody of the state, the state is obligated to pay their funeral expenses. C.S.S.B. 996 would request the biological parents of the child to pay for reasonable and necessary funeral expenses for a foster child who dies in foster care while the department has been appointed managing conservator; but would require the department to pay the expenses if the parents cannot.

PURPOSE

As proposed, C.S.S.B. 996 sets forth requirements for funeral expenses of children in foster care.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 264.012, Family Code, to require the Department of Protective and Regulatory Services (department) to request the biological parents to pay reasonable and necessary funeral expenses for a child for whom the department has been appointed managing conservator and who dies in foster care. Requires the biological parents, if they have an insurance policy or savings account for the child, to spend these resources on funeral expenses. Requires the department to spend funds appropriated for the child protective services program to pay reasonable and necessary funeral expenses for a child for whom the department has been appointed managing conservator and who dies in foster care, if the biological parents cannot pay the funeral expenses. Authorizes the department to accept donations, gifts, or in-kind expenses in relation to funeral expenses for children for whom the department has been appointed managing conservator.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 264.012, Family Code, to require the department to request the biological parents to pay reasonable and necessary funeral expenses for a child for whom the department has been appointed managing conservator and who dies in foster care. Requires the biological parents, if they have an insurance policy or savings account for the child, to spend these resources on funeral expenses. Requires the department to spend funds appropriated for the child protective services program to pay reasonable and necessary funeral expenses for a child for whom the department has been appointed managing conservator and who dies in foster care, if the biological parents cannot pay the funeral expenses. Authorizes the department to accept donations, gifts, or in-kind expenses in relation to funeral expenses for children for whom the department has been appointed managing conservator.