

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 404  
By: Villarreal (Shapleigh)  
Health & Human Services  
4/27/2005  
Committee Report (Substituted)

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

The Family and Protective Services Council (council) assists the commissioner of the Department of Family and Protective Services (department) in developing rules and policies for the department. The council is composed of nine members appointed by the governor with the advice and consent of the senate. To be eligible for appointment to the council, a person must have demonstrated an interest in knowledge of problems and available services related to the functions of the department.

Currently, the law does not require that any member of the council be a person who was a child in the foster care system. C.S.H.B. 404 requires the governor to consider adults who were children in the foster care system in Texas in making appointments to the council. This change is necessary to ensure that the perspective of persons who are in the foster care system is adequately represented when the council assists the commissioner in developing rules and policies affecting the foster care system.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 40.021, Human Resources Code, by adding Subsection (g), as follows:

(g) Requires the governor in making appointments (to the Family and Protective Services Council) under Subsection (b), to consider adults who were children in the foster care system in Texas from recommendations made by recognized associations with interest in the foster care system.

SECTION 2. (a) Makes application of this Act prospective.

(b) Requires the governor, as the terms of the members of the council expire or as vacancies on the council occur, to make appointments to the council to achieve, as soon as possible, the membership plan prescribed by Section 40.021, Human Resources Code, as amended by this Act.

SECTION 3. Effective date: upon passage or September 1, 2005.