

BILL ANALYSIS

Senate Research Center
80R4255 KKA-D

S.B. 322
By: Deuell
Health and Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under standards adopted beginning January 1, 2007, some foster families were instructed to remove all firearms and ammunition from their property or they would no longer be eligible to serve as foster parents.

As proposed, S.B. 322 prohibits the Texas Department of Family and Protective Services (DFPS) from prohibiting possession of firearms and ammunition in a foster home. This bill authorizes minimum standards to be adopted by DFPS for safety and proper storage of firearms and ammunition.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

[While the statutory reference in this bill is to the Texas Department of Human Services (DHS), the following amendments affect the Department of Family and Protective Services (DFPS), as the successor agency to DHS.]

SECTION 1. Amends Section 42.042, Human Resources Code, by adding Subsection (e-1), to prohibit DFPS from prohibiting the possession of lawfully permitted firearms and ammunition in a foster home of any type. Authorizes minimum standards to be adopted under this section regarding certain standards relating to safety and storage of firearms and ammunition.

SECTION 2. Effective date: upon passage or September 1, 2007.