

## **BILL ANALYSIS**

Senate Research Center  
81R6048 MCK-D

S.B. 2385  
By: Shapleigh  
Jurisprudence  
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As Filed

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

Currently, the Department of Family and Protective Services (DFPS) has specific procedures for documenting its evaluation of relatives as a possible placement resource for children in DFPS custody. There is currently no mechanism for systematically ensuring that the information DFPS obtains regarding relatives is provided to the court, the parties, or their attorneys.

As proposed, S.B. 2385 requires DFPS to attach to the appropriate court report information it has obtained on a relative's background, criminal history, or home assessment so that all parties have access to the information.

### **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 262.114, Family Code, by adding Subsection (a-1), as follows:

(a-1) Requires the Department of Family and Protective Services (DFPS), at the full adversary hearing under Section 262.201 (Full Adversary Hearing; Findings of the Court), after redacting any social security numbers, to file with the court a copy of each proposed child placement resources form completed by the parent or other person having legal custody of the child; the results of the background and criminal history checks performed on each individual identified as a relative or designated caregiver on the proposed child placement resources form; the results of each completed home study of an individual identified as a relative or designated caregiver on the proposed child placement resources form; and a statement explaining the reasons the department selected the specific substitute caregiver for the child.

SECTION 2. Amends Section 262.201(c), Family Code, to require the court to require each parent, alleged father, or relative of the child before the court to complete, rather than submit, the proposed child placement resources form provided under Section 261.307 (Information Relating to Investigation Procedure) and file the form with the court, if the form has not been previously filed with the court, rather than provided, and provide DFPS with information necessary to locate any other absent parent, alleged father, or relative of the child.

SECTION 3. Amends Subchapter A, Chapter 263, Family Code, by adding Section 263.003, as follows:

Sec. 263.003. INFORMATION RELATING TO PLACEMENT OF CHILD. Requires DFPS, not later than the 10th day before the date set for a hearing under this chapter, to file with the court any document described by Section 262.114(a-1) that has not been filed with the court.

SECTION 4. Makes application of Sections 262.114(a-1) and 263.003, Family Code, as added by this Act, prospective.

SECTION 5. Effective date: September 1, 2009.