

BILL ANALYSIS

Senate Research Center

S.B. 1477
By: Shapiro
Jurisprudence
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As Filed

DIGEST

Currently, when a governmental entity removes a child from his or her parents, the Family Code requires that a full adversary hearing be held within 14 days of an emergency order that is brought before the court. At the full adversary hearing, the governmental entity can ask to be appointed as the child's temporary managing conservator. During those 14 days, the county in which the suit is brought is responsible for the costs of placing the child in foster care. This bill will authorize the court to name a governmental entity as a provisional temporary managing conservator during the 14 days before a full adversary hearing strictly for the purposes of possession and responsibility to determine the placement and methods of care for the child prior to the hearing, thus relieving the counties of any financial burden.

PURPOSE

As proposed, S.B. 1477 authorizes the court, when a governmental entity removes a child from his or her parents, to name the governmental entity as a provisional temporary managing conservator during the 14 days before a full adversary hearing is held.

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 105.001, Family Code, by amending Subsection (b) and adding Subsection (h), to authorize an order under Subsection (a)(1) to be rendered without notice and an adversary hearing if the order is an emergency order sought by a governmental entity under Chapter 262. Makes a conforming change.

SECTION 2. Emergency clause.
Effective date: upon passage.