

BILL ANALYSIS

Senate Research Center
76R5309 MCK-D

S.B. 649
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Jurisprudence
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As Filed

DIGEST

Currently, Texas law grants foster parents standing to file an original suit affecting the parent-child relationship after the child has been placed in their home for a period of not less than 18 months. Texas Department of Protective and Regulatory Services limits to 12 months the amount of time a child may remain in the custody of the state, and to comply with developed a policy that requires a permanency plan be advanced well before the end of the 12 month period. A foster parent that has had a child in their home for six months or more would not be allowed to file a suit affecting the parent-child relationship of said child during the 12 month period. The Adoption and Safe Families Act of 1997 removed the federal mandate to preserve families and replaced it with a mandate to protect the best interest of the child and to expedite a permanency plan for said child. This bill would allow foster parents to file an original suit affecting the parent-child relationship after the child has been placed in their home for not less than 6 months.

PURPOSE

As proposed, S.B. 649 establishes provisions regarding foster parents standing to file a suit affecting the parent-child relationship.

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 102.003, Family Code, to authorize an original suit to be filed at any time by a person who is a foster parent of a child placed by the Department of Protective and Regulatory Services in the person's home for a period of not less than six, rather than 18, months preceding the date of the filing of the petition.

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