

## **BILL ANALYSIS**

Senate Research Center

H.B. 1266  
By: Dukes (Ellis)  
Jurisprudence  
4/23/2001  
Engrossed

### **DIGEST AND PURPOSE**

Under current law, in a permanency hearing or a status hearing, the court is required to determine whether sufficient information has been furnished to the Department of Protective and Regulatory Services (department) to locate an absent parent, but not to locate other relatives of the child. When a child is removed from a parent's home, it is traumatic to the child. Placement in a relative's home may help to combat these feelings of trauma by providing people and surroundings that are familiar to them. Because a relative of a child is sometimes unaware that the child has been removed from custody of the parent or guardian and that the court often has trouble locating a relative of the child, the placement of a child in the home of a relative may be difficult. H.B. 1266 requires the court to determine whether sufficient information has been furnished to the department to locate an absent parent, alleged father, or relative of the child in an adversary hearing, permanency hearing, or status hearing.

### **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 262.201(c), Family Code, to require a court to require each parent, alleged father, or relative of a child, whose physical health or safety is in question, before the court to provide the Department of Protective and Regulatory Services (department) with information necessary to locate any other absent parent, alleged father, or relative of the child.

SECTION 2. Amends Section 263.202(a), Family Code, to requires the court, if all parties entitled to citation and notice under this chapter were not served, to make findings as to whether each custodial parent, alleged father, or relative of the child before the court has furnished to the department all available information necessary to locate another absent parent, alleged father, or relative of the child through exercise of due diligence, rather than the parental locator service.

SECTION 3. Amends Section 263.306(a), Family Code, to require the court at each permanency hearing to review the efforts of each custodial parent, alleged father, or relative of the child before the court in providing information necessary to locate another absent parent, alleged father, or relative of the child.

SECTION 4. Amends Section 264.205(a), Family Code, to require swift adoption teams developed by the department, in performing their duties, to attempt to place a child for adoption with an appropriate relative of the child.

SECTION 5. Effective date: September 1, 2001.  
Makes application of this Act prospective.