

BILL ANALYSIS

Senate Research Center
78R11343 MCK-D

C.S.S.B. 1489
By: Ogden
Health & Human Services
4/10/2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, there is a shortage of foster parents in Texas. The Texas Department of Protective and Regulatory Services' (DPRS) most recent numbers indicate that there are approximately 15,000 children who need homes and only 7,000 eligible foster families. C.S.S.B. 1489 requires DPRS to develop a program to recruit foster parents from faith-based communities. The program will entail sending DPRS recruiters to encourage families within faith communities to become foster parents.

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 Chapter 264B, Family Code, by adding Sections 264.113 and 264.114, as follows:

Sec. 264.113. FOSTER PARENT RECRUITMENT. (a) Defines "faith-based organization."

(b) Requires the Texas Department of Protective and Regulatory Services (DPRS) to develop a program to recruit and retain foster parents from faith-based organizations. Requires DPRS, as part of the program, to perform certain tasks.

Sec. 264.114. IMMUNITY FROM LIABILITY. (a) Provides that a faith-based organization, including the organization's volunteers and employees, that participates in a program under this chapter is subject to civil liability as provided in Chapter 84, Civil Practice and Remedies Code.

(b) Provides that a faith-based organization that provides financial or other assistance to a foster parent or to a member of the foster parent's household is not liable for damages arising out of conduct of the foster parent or a member of the foster parent's household.

SECTION 2. Makes application of the change in law made by Section 264.114, Family Code, as added by this Act, prospective.

SECTION 3. Effective date: upon passage or September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Differs from the original by redefining "faith-based organization." Creates new Subdivisions (1) and (3) in proposed Section 264.113(b), Family Code. Amends proposed Section 264.114, Family Code, by making nonsubstantive changes to reword the section.

SECTION 2. Makes application of the change in law prospective.