

BILL ANALYSIS

Senate Research Center
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S.B. 879
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Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Department of Family and Protective Services (DFPS) reports that kinship placements experience fewer disruptions, better outcomes for children, and shorter lengths of stay compared to the traditional foster care system. S.B. 879 allows DFPS to consider a kinship placement with an individual who has been convicted of a non-violent offense, if placement with that individual would be in the child's best interest. Every potential kinship placement is required to submit to a criminal background check, and non-violent criminal offenses are eliminating otherwise-appropriate placements for children entering into the foster care system.

As filed, S.B. 879 excludes homestead property and up to \$5,000, indexed to the Consumer Price Index (CPI), of the fair market value of the caretaker's car when determining the household's need for monetary benefits. A committee substitute for S.B. 879 removes the language regarding monetary benefits from the bill as filed.

Currently, there are 10,000 children in formal kinship care and over 250,000 children in informal kinship care settings. Kinship caregivers are an integral part of Texas' foster care system, and expanding the number of families able to participate will help to ease the current crisis in foster care capacity. Under S.B. 879, Texas would be able to provide better outcomes for our children by making placement decisions that are in the child's best interest and place them with kinship caregivers when appropriate.

As proposed, S.B. 879 amends current law relating to the eligibility of a person to serve as and receive monetary assistance for serving as a relative or other designated caregiver.

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 264.754, Family Code, as follows:

Sec. 264.754. INVESTIGATION OF PROPOSED PLACEMENT. (a) Creates this subsection from existing text and makes no further changes to this subsection.

(b) Prohibits the Department of Family and Protective Services (DFPS) from disqualifying a person from serving as a relative or other designated caregiver for a child on the basis that the proposed caregiver has been convicted of a nonviolent criminal offense, if DFPS determines that placing the child with the person is otherwise in the child's best interest.

SECTION 2. Amends Section 264.755, Family Code, by adding Subsection (f), as follows:

(f) Requires DFPS, in determining a family's need for monetary assistance, to exclude from a caregiver's available resources real property owned by the caregiver that is homestead property; and the fair market value of the caregiver's ownership interest in a motor vehicle, but not more than \$5,000 plus or minus an amount to be determined

annually beginning on October 1, 2017, to reflect changes in the new car component of the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics.

SECTION 3. Effective date: upon passage or September 1, 2017.