

BILL SUMMARY
2nd Session of the 58th Legislature

Bill No.:	HB 3190
Version:	Floor Amendment 1
Request Number:	
Author:	Rep. Williams
Date:	3/14/2022
Impact:	No direct fiscal impact anticipated

Research Analysis

FA1 to HB3190 clarifies that the court may impose sanctions against the attorney for failure to comply including reasonable expenses incurred because of the failure to communicate with the child as required by statute.

HB3190 adds a definition of "time-limited reunification services" which means reunification services provided only during the first 15 month period after the child enters foster care. The measure allows the court to impose sanctions against an attorney who does not comply with statute. The demand for a jury trial must be filed in writing no later than 30 days before the date set for the initial hearing for termination of parental rights. If a jury trial demand is not filed in 30 days, the trial can continue as a bench trial. If a parent has not corrected their circumstances in 15 months, then a petition or motion for termination of parental rights will be filed. However, parental rights may not be terminated if the parent has made substantial progress and the child might be able to go home in three months, the child has a close and positive relationship with a parent, the child is at least 14 years old and firmly opposed to the termination of parental rights, a parent is terminally ill but in remission and has designated a guardian, the child is not capable of functioning in a family setting, the child is an unaccompanied, refugee minor, adoption is an inappropriate plan, the parent's incarceration or treatment is a factor in the child's placement. The court may also consider if the child have failed to form a bond with the parent and whether allowing the parent to have custody would cause harm to the child. The measure also requires consideration of each child's and family's circumstances in making an individualized service plan.

Prepared By: Suzie Nahach

Fiscal Analysis

The first floor amendment to the measure makes a two minor changes to the provision regarding communication between children and appointed attorneys.

Upon review, the first floor amendment does not have an anticipated direct fiscal impact. It does not alter the fiscal impact of the rest of the bill.

Prepared By: Clayton Mayfield

Other Considerations

None.

