

Bill Summary
2nd Session of the 59th Legislature

Bill No.:	HB 1048
Version:	CS
Request No.:	3682
Author:	Sen. Rosino
Date:	04/10/2024

Bill Analysis

HB 1048 specifies that a children's emergency resource center shall be a community-based program that provides care for children in crisis who are in the custody of the Department of Human Services. The measure allows a court to establish a Minor's Public Guardianship between a developmentally disabled child and the Office of Public Guardian if the court agrees that a guardianship is in the child's best interest. The measure outlines the conditions that must be in place in order for the guardianship to be established. The measure establishes the processes to be completed by the district attorney or the child's attorney in filing a motion for a Minor's Public Guardianship. The measure provides that the court shall give primary consideration to the physical and behavioral health needs of the child when determining whether to issue an order for a public guardianship of a minor. The measure provides that the court shall modify or terminate the guardianship if the court determines the modification or termination is in the best interest of the child or the Office of Public Guardian is unable to properly exercise oversight over placement and care of the child. If court determines the child has been abused or neglected in placement under the oversight of the Office, the court shall modify or terminate the guardianship.

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