

AN ACT

relating to certain programs provided to families of children at risk for abuse and neglect.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 264.201(d), Family Code, is amended to read as follows:

(d) The services may include in-home programs, parenting skills training, youth coping skills, and individual and family counseling. If the department requires or a court orders parenting skills training services through a parenting education program, the program must be an evidence-based or promising practice parenting education program described by Section 265.101 that is provided in the community in which the family resides, if available.

SECTION 2. Chapter 265, Family Code, is amended by designating Sections 265.001, 265.002, 265.003, and 265.004 as Subchapter A and adding a subchapter heading to read as follows:

SUBCHAPTER A. PREVENTION AND EARLY INTERVENTION SERVICES

SECTION 3. Section 265.004, Family Code, is amended by amending Subsection (a) and adding Subsections (a-1) and (a-2) to read as follows:

(a) To the extent that money is appropriated for the purpose, the department shall fund evidence-based programs, including parenting education, home visitation, family support services, mentoring, positive youth development programs, and

1 crisis counseling, offered by community-based organizations that
2 are designed to prevent or ameliorate child abuse and neglect. The
3 [~~evidence-based~~] programs funded under this subsection may be
4 offered by a child welfare board established under Section 264.005,
5 a local governmental board granted the powers and duties of a child
6 welfare board under state law, [~~or~~] a children's advocacy center
7 established under Section 264.402, or other persons determined
8 appropriate by the department.

9 (a-1) The department shall ensure that not less than 75
10 percent of the money appropriated for parenting education programs
11 under Subsection (a) funds evidence-based programs described by
12 Section 265.101(b) and that the remainder of that money funds
13 promising practice programs described by Section 265.101(c).

14 (a-2) The department shall actively seek and apply for any
15 available federal funds to support parenting education programs
16 provided under this section.

17 SECTION 4. Subchapter A, Chapter 265, Family Code, as added
18 by this Act, is amended by adding Section 265.005 to read as
19 follows:

20 Sec. 265.005. STRATEGIC PLAN. (a) The department shall
21 develop and implement a five-year strategic plan for prevention and
22 early intervention services. Not later than September 1 of the last
23 fiscal year in each five-year period, the department shall issue a
24 new strategic plan for the next five fiscal years beginning with the
25 following fiscal year.

26 (b) A strategic plan required under this section must:

27 (1) identify methods to leverage other sources of

1 funding or provide support for existing community-based prevention
2 efforts;

3 (2) include a needs assessment that identifies
4 programs to best target the needs of the highest risk populations
5 and geographic areas;

6 (3) identify the goals and priorities for the
7 department's overall prevention efforts;

8 (4) report the results of previous prevention efforts
9 using available information in the plan;

10 (5) identify additional methods of measuring program
11 effectiveness and results or outcomes;

12 (6) identify methods to collaborate with other state
13 agencies on prevention efforts; and

14 (7) identify specific strategies to implement the plan
15 and to develop measures for reporting on the overall progress
16 toward the plan's goals.

17 (c) The department shall coordinate with interested parties
18 and communities in developing the strategic plan under this
19 section.

20 (d) The department shall annually update the strategic plan
21 developed under this section.

22 (e) The department shall post the strategic plan developed
23 under this section and any update to the plan on its Internet
24 website.

25 SECTION 5. Subchapter D, Chapter 40, Human Resources Code,
26 as amended by S.B. 219, Acts of the 84th Legislature, Regular
27 Session, 2015, is transferred to Chapter 265, Family Code,

1 redesignated as Subchapter B, Chapter 265, Family Code, and amended
2 to read as follows:

3 SUBCHAPTER B [~~D~~]. CHILD ABUSE AND NEGLECT PRIMARY PREVENTION
4 PROGRAMS

5 Sec. 265.051 [~~40.101~~]. DEFINITIONS. In this subchapter:

6 (1) "Children's trust fund" means a child abuse and
7 neglect primary prevention program.

8 (2) "Primary prevention" means services and
9 activities available to the community at large or to families to
10 prevent child abuse and neglect before it occurs. The term includes
11 infant mortality prevention education programs.

12 (3) "Operating fund" means the Department of Family
13 and Protective Services child abuse and neglect prevention
14 operating fund account.

15 (4) "State agency" means a board, commission,
16 department, office, or other state agency that:

17 (A) is in the executive branch of the state
18 government;

19 (B) was created by the constitution or a statute
20 of this state; and

21 (C) has statewide jurisdiction.

22 (5) "Trust fund" means the child abuse and neglect
23 prevention trust fund account.

24 Sec. 265.052 [~~40.102~~]. CHILD ABUSE AND NEGLECT PRIMARY
25 PREVENTION PROGRAMS. (a) The department shall operate the
26 children's trust fund to:

27 (1) set policy, offer resources for community primary

1 prevention programs, and provide information and education on
2 prevention of child abuse and neglect;

3 (2) develop a state plan for expending funds for child
4 abuse and neglect primary prevention programs that includes an
5 annual schedule of transfers of trust fund money to the operating
6 fund;

7 (3) develop eligibility criteria for applicants
8 requesting funding for child abuse and neglect primary prevention
9 programs; and

10 (4) establish funding priorities for child abuse and
11 neglect primary prevention programs.

12 (b) The children's trust fund shall accommodate the
13 department's existing rules and policies in procuring, awarding,
14 and monitoring contracts and grants.

15 (c) The department may:

16 (1) apply for and receive funds made available by the
17 federal government or another public or private source for
18 administering programs under this subchapter and for funding for
19 child abuse and neglect primary prevention programs; and

20 (2) solicit donations for child abuse and neglect
21 primary prevention programs.

22 Sec. 265.053 [~~40.104~~]. ADMINISTRATIVE AND OTHER COSTS.

23 (a) Administrative costs under this subchapter during any fiscal
24 year may not exceed an amount equal to 50 percent of the interest
25 credited to the trust fund during the preceding fiscal year.

26 (b) Funds expended under a special project grant from a
27 governmental source or a nongovernmental source for public

1 education or public awareness may not be counted as administrative
2 costs for the purposes of this section.

3 Sec. 265.054 [~~40.105~~]. CHILD ABUSE AND NEGLECT PREVENTION
4 TRUST FUND ACCOUNT. (a) The child abuse and neglect prevention
5 trust fund account is an account in the general revenue fund. Money
6 in the trust fund is dedicated to child abuse and neglect primary
7 prevention programs.

8 (b) The department may transfer money contained in the trust
9 fund to the operating fund at any time. However, during a fiscal
10 year the department may not transfer more than the amount
11 appropriated for the operating fund for that fiscal year. Money
12 transferred to the operating fund that was originally deposited to
13 the credit of the trust fund under Section 118.022, Local
14 Government Code, may be used only for child abuse and neglect
15 primary prevention programs.

16 (c) Interest earned on the trust fund shall be credited to
17 the trust fund.

18 (d) The trust fund is exempt from the application of Section
19 403.095, Government Code.

20 (e) All marriage license fees and other fees collected for
21 and deposited in the trust fund and interest earned on the trust
22 fund balance shall be appropriated each biennium only to the
23 operating fund for [~~primary~~] child abuse and neglect primary
24 prevention programs.

25 Sec. 265.055 [~~40.106~~]. DEPARTMENT OPERATING FUND ACCOUNT.

26 (a) The operating fund is an account in the general revenue fund.

27 (b) Administrative and other costs allowed in Section

1 265.053 [~~40.104~~] shall be taken from the operating fund. The
2 department may transfer funds contained in the operating fund to
3 the trust fund at any time.

4 (c) The legislature may appropriate the money in the
5 operating fund to carry out the provisions of this subchapter.

6 (d) The operating fund is exempt from the application of
7 Section 403.095, Government Code.

8 Sec. 265.056 [~~40.107~~]. CONTRIBUTIONS. (a) The department
9 may solicit contributions from any appropriate source.

10 (b) Any other contributions for child abuse and neglect
11 primary prevention or other prevention and early intervention
12 programs shall be deposited into a separate designated fund in the
13 state treasury and shall be used for that designated purpose.

14 (c) A person may contribute funds to either the trust fund,
15 the operating fund, or a fund designated by the department for a
16 specific child abuse and neglect primary prevention or other
17 prevention or early intervention purpose.

18 (d) If a person designates that a contribution is intended
19 as a donation to a specific fund, the contribution shall be
20 deposited in the designated fund.

21 SECTION 6. Section 40.0561, Human Resources Code, is
22 transferred to Subchapter B, Chapter 265, Family Code, as
23 transferred and redesignated from Subchapter D, Chapter 40, Human
24 Resources Code, by this Act, and redesignated as Section 265.057,
25 Family Code, to read as follows:

26 Sec. 265.057 [~~40.0561~~]. COMMUNITY YOUTH DEVELOPMENT
27 GRANTS. (a) Subject to available funding, the department shall

1 award community youth development grants to communities identified
2 by incidence of crime. The department shall give priority in
3 awarding grants under this section to areas of the state in which
4 there is a high incidence of juvenile crime.

5 (b) The purpose of a grant under this section is to assist a
6 community in alleviating conditions in the family and community
7 that lead to juvenile crime.

8 SECTION 7. Chapter 265, Family Code, is amended by adding
9 Subchapter C to read as follows:

10 SUBCHAPTER C. PARENTING EDUCATION

11 Sec. 265.101. PARENTING EDUCATION PROGRAMS. (a) A
12 parenting education program provided by the department must be an
13 evidence-based program or a promising practice program described by
14 this section.

15 (b) An evidence-based program is a parenting education
16 program that:

17 (1) is research-based and grounded in relevant,
18 empirical knowledge and program-determined outcomes;

19 (2) has comprehensive standards ensuring the highest
20 quality service delivery with continuous improvement in the quality
21 of service delivery;

22 (3) has demonstrated significant positive short-term
23 and long-term outcomes;

24 (4) has been evaluated by at least one rigorous,
25 random, controlled research trial across heterogeneous populations
26 or communities with research results that have been published in a
27 peer-reviewed journal;

1 (5) substantially complies with a program manual or
2 design that specifies the purpose, outcomes, duration, and
3 frequency of the program services; and

4 (6) employs well-trained and competent staff and
5 provides continual relevant professional development opportunities
6 to the staff.

7 (c) A promising practice program is a parenting education
8 program that:

9 (1) has an active impact evaluation program or
10 demonstrates a schedule for implementing an active impact
11 evaluation program;

12 (2) has been evaluated by at least one outcome-based
13 study demonstrating effectiveness or random, controlled trial in a
14 homogeneous sample;

15 (3) substantially complies with a program manual or
16 design that specifies the purpose, outcomes, duration, and
17 frequency of the program services;

18 (4) employs well-trained and competent staff and
19 provides continual relevant professional development opportunities
20 to the staff; and

21 (5) is research-based and grounded in relevant,
22 empirical knowledge and program-determined outcomes.

23 Sec. 265.102. OUTCOMES OF EVIDENCE-BASED PARENTING
24 EDUCATION. The department shall ensure that a parenting education
25 program provided under this chapter achieves favorable behavioral
26 outcomes in at least two of the following areas:

27 (1) improved cognitive development of children;

- 1 (2) increased school readiness of children;
2 (3) reduced child abuse, neglect, and injury;
3 (4) improved child safety;
4 (5) improved social-emotional development of
5 children;
6 (6) improved parenting skills, including nurturing
7 and bonding;
8 (7) improved family economic self-sufficiency;
9 (8) reduced parental involvement with the criminal
10 justice system; and
11 (9) increased paternal involvement and support.

12 Sec. 265.103. EVALUATION OF EVIDENCE-BASED PARENTING
13 EDUCATION. (a) The department shall adopt outcome indicators to
14 measure the effectiveness of parenting education programs provided
15 under this chapter in achieving desired outcomes.

16 (b) The department may work directly with the model
17 developer of a parenting education program to identify appropriate
18 outcome indicators for the program and to ensure that the program
19 substantially complies with the model.

20 (c) The department shall develop internal processes to
21 share information with parenting education programs to assist the
22 department in analyzing the performance of the programs.

23 (d) The department shall use information obtained under
24 this section to:

- 25 (1) monitor parenting education programs;
26 (2) continually improve the quality of the programs;

27 and

1 (3) evaluate the effectiveness of the programs.

2 Sec. 265.1035. INITIAL REPORT. (a) Not later than December
3 1, 2016, the department shall prepare and submit a report on
4 state-funded parenting education programs to the standing
5 committees of the senate and house of representatives with
6 jurisdiction over child protective services.

7 (b) The report submitted under this section must include:

8 (1) the status and a description of the parenting
9 education programs implemented and a description of the models
10 associated with the programs; and

11 (2) information on the number of families served by
12 the programs, including their demographic information.

13 (c) This section expires January 1, 2017.

14 Sec. 265.104. REPORTS TO LEGISLATURE. (a) Not later than
15 December 1 of each even-numbered year, the department shall prepare
16 and submit a report on state-funded parenting education programs to
17 the standing committees of the senate and house of representatives
18 with jurisdiction over child protective services.

19 (b) A report submitted under this section must include:

20 (1) a description of the parenting education programs
21 implemented and of the models associated with the programs;

22 (2) information on the families served by the
23 programs, including the number of families served and their
24 demographic information;

25 (3) the goals and achieved outcomes of the programs;

26 (4) information on the cost for each family served,
27 including any available third-party return-on-investment analysis;

1 and

2 (5) information explaining the percentage of money
3 spent on evidence-based programs and on promising practice
4 programs.

5 Sec. 265.105. RULES. The executive commissioner of the
6 Health and Human Services Commission may adopt rules as necessary
7 to implement this subchapter.

8 SECTION 8. Section 40.0523, Human Resources Code, as
9 amended by S.B. 219, Acts of the 84th Legislature, Regular Session,
10 2015, is repealed.

11 SECTION 9. The changes in law made by this Act apply only to
12 a program provided under Chapter 265, Family Code, on or after the
13 effective date of this Act.

14 SECTION 10. Not later than September 1, 2016, the
15 Department of Family and Protective Services shall adopt the
16 initial strategic plan required by Section 265.005, Family Code, as
17 added by this Act.

18 SECTION 11. This Act takes effect September 1, 2015.

President of the Senate

Speaker of the House

I certify that H.B. No. 2630 was passed by the House on April 23, 2015, by the following vote: Yeas 136, Nays 3, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2630 on May 28, 2015, by the following vote: Yeas 136, Nays 5, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2630 was passed by the Senate, with amendments, on May 26, 2015, by the following vote: Yeas 30, Nays 1.

Secretary of the Senate

APPROVED: _____

Date

Governor