

1-1 By: Birdwell, et al. S.B. No. 907
 1-2 (In the Senate - Filed February 15, 2017; February 28, 2017,
 1-3 read first time and referred to Committee on Health & Human
 1-4 Services; April 18, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 8, Nays 1;
 1-6 April 18, 2017, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17		X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 907 By: Kolthorst

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the definition of the least restrictive environment for
 1-22 the placement of children in foster care.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 263.001(a), Family Code, is amended by
 1-25 amending Subdivision (3-a) and adding Subdivision (3-b) to read as
 1-26 follows:

1-27 (3-a) "Least restrictive setting" means a placement
 1-28 for a child that, in comparison to all other available placements,
 1-29 is the most family-like setting.

1-30 (3-b) "Physician assistant" has the meaning assigned
 1-31 by Section 157.051, Occupations Code.

1-32 SECTION 2. Section 263.001, Family Code, is amended by
 1-33 adding Subsection (c) to read as follows:

1-34 (c) With respect to a child who is removed from the child's
 1-35 home, if a suitable relative or other designated caregiver is not
 1-36 available, placing the child in a foster home or a general
 1-37 residential operation operating as a cottage home is considered the
 1-38 least restrictive setting.

1-39 SECTION 3. Section 264.001, Family Code, is amended by
 1-40 adding Subdivision (3-a) to read as follows:

1-41 (3-a) "Least restrictive setting" means a placement
 1-42 for a child that, in comparison to all other available placements,
 1-43 is the most family-like setting.

1-44 SECTION 4. Section 264.107, Family Code, is amended by
 1-45 adding Subsection (c) to read as follows:

1-46 (c) In selecting a placement for a child, the department
 1-47 shall consider whether the placement is in the child's best
 1-48 interest. In determining whether a placement is in a child's best
 1-49 interest, the department shall consider whether the placement:

- 1-50 (1) is the least restrictive setting for the child;
- 1-51 (2) is the closest in geographic proximity to the
 1-52 child's home;
- 1-53 (3) is the most able to meet the identified needs of
 1-54 the child; and
- 1-55 (4) satisfies any expressed interests of the child
 1-56 relating to placement, when developmentally appropriate.

1-57 SECTION 5. This Act takes effect only if a specific
 1-58 appropriation for the implementation of the Act is provided in a
 1-59 general appropriations act of the 85th Legislature.

1-60 SECTION 6. This Act takes effect September 1, 2017.

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