

1-1 By: Kolkhorst S.B. No. 560  
 1-2 (In the Senate - Filed January 31, 2019; February 21, 2019,  
 1-3 read first time and referred to Committee on Health & Human  
 1-4 Services; April 24, 2019, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
 1-6 April 24, 2019, 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. 560 By: Kolkhorst

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

1-21 relating to a plan and report on court-ordered representation for  
 1-22 certain suits affecting the parent-child relationship.

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

1-24 SECTION 1. Subchapter C, Chapter 71, Government Code, is  
 1-25 amended by adding Section 71.0355 to read as follows:

1-26 Sec. 71.0355. PLAN AND REPORT ON COURT-ORDERED  
 1-27 REPRESENTATION. (a) The council shall develop a statewide plan  
 1-28 requiring counties and courts in this state to report information  
 1-29 on court-ordered representation for appointments made in suits  
 1-30 affecting the parent-child relationship under Part 1, Subchapter B,  
 1-31 Chapter 107, Family Code. In developing the plan, the council must  
 1-32 consider the costs to counties of implementing the plan and design  
 1-33 the plan to reduce redundant reporting.

1-34 (b) Not later than November 1 of each odd-numbered year and  
 1-35 in the form and manner prescribed in the plan, each local  
 1-36 administrative district judge for a court subject to the plan, or  
 1-37 the person designated by the judge, shall prepare and provide to the  
 1-38 council:

1-39 (1) a copy of all formal and informal rules and forms  
 1-40 the court uses to appoint representation in suits affecting the  
 1-41 parent-child relationship under Part 1, Subchapter B, Chapter 107,  
 1-42 Family Code; and

1-43 (2) any fee schedule the court uses for court-ordered  
 1-44 representation.

1-45 (c) Each county auditor, or other individual designated by  
 1-46 the commissioners court of a county, shall prepare and send to the  
 1-47 council, in the form and manner prescribed in the plan, information  
 1-48 on the money spent by the county during the preceding state fiscal  
 1-49 year to provide court-ordered representation in suits affecting the  
 1-50 parent-child relationship under Part 1, Subchapter B, Chapter 107,  
 1-51 Family Code. The information must include:

1-52 (1) the total amount of money spent by the county to  
 1-53 provide court-ordered representation services; and

1-54 (2) of the money spent under Subdivision (1), the  
 1-55 amount of money spent:

1-56 (A) for appointments in each district court,  
 1-57 county court, statutory county court, and appellate court in the  
 1-58 county;

1-59 (B) for appointments of private attorneys for  
 1-60 respondents, including parents, children, and alleged fathers, who

2-1 are indigent;

2-2 (C) for appointments of public counsel for  
2-3 respondents, including parents, children, and alleged fathers, who  
2-4 are indigent; and

2-5 (D) for investigation, expert witness, or other  
2-6 litigation expenses.

2-7 (d) Each local administrative district judge for a court  
2-8 subject to the plan, or the person designated by the judge, and each  
2-9 county auditor, or other individual designated by the commissioners  
2-10 court of a county, shall provide to the council the information  
2-11 required under the plan and this section.

2-12 (e) The council annually shall:

2-13 (1) compile in a report the information submitted to  
2-14 the council under the plan and this section;

2-15 (2) submit the report compiled under Subdivision (1)  
2-16 to the governor, lieutenant governor, and speaker of the house of  
2-17 representatives; and

2-18 (3) electronically publish the report compiled under  
2-19 Subdivision (1).

2-20 SECTION 2. (a) As soon as practicable after the effective  
2-21 date of this Act, the Texas Judicial Council shall develop the plan  
2-22 required by Section 71.0355, Government Code, as added by this Act.

2-23 (b) Notwithstanding Section 71.0355, Government Code, as  
2-24 added by this Act, a county or court in this state is not required to  
2-25 comply with that section until September 1, 2020, or a later date  
2-26 provided in the plan developed under that section.

2-27 SECTION 3. The Texas Judicial Council is required to  
2-28 implement a provision of this Act only if the legislature  
2-29 appropriates money specifically for that purpose. If the  
2-30 legislature does not appropriate money specifically for that  
2-31 purpose, the council may, but is not required to, implement a  
2-32 provision of this Act using other appropriations available for that  
2-33 purpose.

2-34 SECTION 4. This Act takes effect September 1, 2019.

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