

BILL ANALYSIS

Senate Research Center
82R18589 JSC-D

H.B. 2560
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Criminal Justice
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Some foster parents have expressed concern about a Department of Family and Protective Services (DFPS) rule that prohibits a foster parent from carrying a licensed concealed handgun in a vehicle where a foster child is present. The rule has the effect of preventing the parent of a foster child from exercising the right to carry a concealed handgun. H.B. 2560 seeks to protect this right by prohibiting DFPS from taking action to prohibit transportation of a foster child in a vehicle where a handgun is in the possession and control of a foster parent licensed to carry a concealed handgun.

H.B. 2560 amends current law relating to transporting a foster child in a vehicle where a handgun is in the possession of a foster parent licensed to carry a concealed handgun.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 42.042, Human Resources Code, by adding Subsection (e-2), to prohibit the Department of Family and Protective Services from prohibiting the foster parent of a child who resides in the foster family's home from transporting the child in a vehicle where a handgun is present if the handgun is in the possession and control of the foster parent and the foster parent is licensed to carry the handgun under Subchapter H (License to Carry Concealed Handgun), Chapter 411 (Department of Public Safety of the State of Texas), Government Code.

SECTION 2. Effective date: upon passage or September 1, 2011.