

CS/S 742 PROHIBIT TERMINATION OF PARENTAL RIGHTS

April 6, 2001

SENATE EXECUTIVE MESSAGE NO. 91

I have this day VETOED and am returning SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR SENATE BILL 742 enacted by the Forty-Fifth Legislature, First Session, 2001.

This bill amends the Children's Code to prohibit the Children, Youth, and Families Department from filing a termination of parental rights action solely on the basis of a parent's incarceration. I have already signed into law House Bill 455, which duplicates this legislation.

FS/S 744 LIMITED OUT-OF-STATE DISPOSITION OF JUVENILES

April 6, 2001

SENATE EXECUTIVE MESSAGE NO. 90

I have this day VETOED and am returning SENATE FLOOR SUBSTITUTE FOR SENATE BILL 744, as amended, enacted by the Forty-Fifth Legislature, First Session, 2001.

This bill amends the delinquency article of the Children's Code to permit judges to send juveniles out of state for commitment. While the bill provides that the out of state provider must meet certain standards and the out of state commitment in only certain situations the bill is still problematic. First, it seems counter intuitive to send our children out of state for commitment where they would be separated from their families. Second, CYFD would appear to be in the best position of determining the best placement for these children rather than being forced to send them out of state by a judges order. Finally, there is not an appropriation to go along with this bill. Thus, CYFD would be forced to cover the costs of an out of state commitment out of their current budget.