

BILL ANALYSIS

H.B. 980
By: Goodman
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the 75th Legislative Session, House Bill 1091 amended Subchapter A, Section 162.001, Family Code, to set forth regulations regarding the adoption of children who are at least two years old. Due to the wording of the amended language, confusion exists amongst practitioners and courts as to the legislative intent behind the amended language. House Bill 980 simply clarifies the original legislative intent behind Section 162.001, of the Family Code.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

SECTION BY SECTION ANALYSIS

Section 1. Amends Section 162.001(b)(3) by providing that a child residing in this state may be adopted if the child is at least two years old, the parent-child relationship has been terminated with respect to one parent, the person seeking the adoption has been a managing conservator or has had actual care, possession, and control of the child for a period of six months preceding the adoption or is the child's former stepparent and the nonterminated parent consents to the adoption. Deletes Section 162.001(b)(4).

Section 2. This Act takes effect September 1, 2003. (b) The change in law made by this Act applies only to a suit for adoption filed on or after the effective date of this Act. A suit for adoption filed before the effective date of this Act is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2003.