

BILL ANALYSIS

C.S.H.B. 2886
By: Van Arsdale
Human Services
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law for certain adoption, divorce, and annulment matters, the Bureau of Vital Statistics (bureau) mandates that particular forms be filed with it by the attorney of record on the specific family law matter. When a submitted form turns out to be incorrect or incomplete, under current law, the bureau mails the incorrect or incomplete form to the county district clerk, who then forwards the form to the attorney of record for correction.

CSHB 2886 would eliminate the role of the county district clerk and require the bureau to mail the incomplete forms directly to the attorney of record, ensuring a more rapid response and alleviating an unfunded mandate.

RULEMAKING AUTHORITY

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

ANALYSIS

CSHB 2886 amends the Health and Safety Code by requiring adoption certificates and reports of divorce or annulment that need correction be mailed directly from the Bureau of Vital Statistics (bureau) to the attorney of record listed on the certificate rather than back to the county district clerk and then to the attorney of record. The bill requires if there is no attorney of record, the bureau must mail the certificate to the clerk of the court for correction. The bill provides that the provisions of the bill applies only to a certificate or report requiring corrections following the effective date.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

CSHB 2886 varies from the original by requiring that if there is no attorney of record, the bureau must mail the certificate or report to the clerk of court for correction.