

BILL ANALYSIS

C.S.H.B. 270
By: Farrar
Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Current state law does not allow siblings the right to file suit requesting visitation with each other. However, siblings can provide a stable link for one another when situations like divorce, death, incarceration of a parent, or foster care separates them from one another.

C.S.H.B.270 would allow an adult sibling legal standing to file suit for visitation when the younger sibling is placed in foster care.

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.

ANALYSIS

SECTION 1. Amends Chapter 102 of the Family Code by adding Section 102.0045 to provide standing for a sibling, who is at least 18 years of age, to request access to a child who is a sibling of the petitioner.

SECTION 2. Amends Chapter 153 of the Family Code by adding Subchapter J to provide that a sibling of a child who is separated from the child because of an action by the Department of Family and Protective Services may request access to the child by filing a suit for access or a suit for modification. The sibling may request access to the child regardless of whether or not his or her sibling's parent is the managing conservator. The court can order access to a sibling if such access is deemed in the best interest of the child.

SECTION 3. This Act takes effect September 1, 2005.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B.270 modifies the original H.B.270 by requiring a sibling seeking access to a child to be at least 18 years of age.