

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 27, 2005

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB270 by Farrar (Relating to court-ordered access to a child by the child's sibling.),
Committee Report 1st House, Substituted

No significant fiscal implication to the State is anticipated.

This bill would amend Texas Family Code (TFC), Chapter 153, by adding Subchapter J, Rights of Siblings, Sections 153.551, Suit for Access, and 153.552, Access to Sibling. New Section 153.551 would give a sibling of a child, who is least 18 years of age, the right to sue for access to that child when the sibling and child have been separated due to an action taken by the Department of Family Protective Services. The sibling of the child may request access to the child by filing an original suit or a suit for modification as provided by Chapter 156, without regard to whether the appointment of a managing conservator is at issue. New Section 153.552 would require the court to order reasonable access to a child by the child's sibling if the court finds that access is in the child's best interest.

This bill would also amend TFC, Chapter 102, by adding Section 102.0045, Standing for Sibling, which would give the sibling standing to file an original suit to request access to the child as provided by Section 153.551. The Department of Family and Protective Services anticipates there would be a minimal cost upon implementation, but the cost would be insignificant.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 530 Department of Family and Protective Services

LBB Staff: JOB, PP, LB, NM