

## **BILL ANALYSIS**

Senate Research Center  
80R8289 MCK-D

H.B. 3537  
By: Garcia (Hinojosa)  
Jurisprudence  
5/14/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, military service is not explicitly prohibited from being considered as a factor in determining the suitability for adoption of a child. Military personnel seeking to adopt a child are concerned that a family member's active or reserve military service may be used as a negative factor when determining the family's suitability for adoption.

H.B. 3537 prohibits a person's membership in the United States armed forces, the National Guard of Texas or another state, or a reserve component of the armed forces from being considered by the court, or any person performing a social study or home screening, as a negative factor in determining whether the adoption is in the best interest of the child or whether the petitioner would be a suitable parent.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 162, Family Code, by adding Section 162.0025, as follows:

Sec. 162.0025. **ADOPTION SOUGHT BY MILITARY SERVICE MEMBER.** Prohibits the fact that a petitioner in a suit for adoption is a member of the armed forces of the United States, a member of the Texas National Guard or the National Guard of another state, or a member of a reserve component of the armed forces of the United States from being considered by the court, or any person performing a social study or home screening, as a negative factor in determining whether the adoption is in the best interest of the child or whether the petitioner would be a suitable parent.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.