

## **BILL ANALYSIS**

S.B. 1402  
By: Carona  
Judiciary & Civil Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The Department of Family and Protective Services is currently required to prepare and provide a health, social, educational, and genetic history report of a child to prospective adoptive parents. While this report must include a history of physical, sexual, or emotional abuse suffered by the child, interested parties assert that critical information, such as alleged abuse or records relating to an investigation, is sometimes missing from the report. The parties observe that if a child in state conservatorship is alleged to be a victim of sexual abuse while residing in a foster home or other residential child-care facility, the investigation is typically conducted by residential child-care licensing investigation staff, rather than a caseworker, and may not be incorporated into the child's history report.

S.B. 1402 intends to ensure that prospective adoptive parents are provided certain records for review relating to an investigation where the child was an alleged or confirmed victim of sexual abuse while residing in a foster home or other residential child-care facility.

### **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**

S.B. 1402 amends the Family Code to require the records relating to the history of a child that the prospective adoptive parents of the child are entitled to examine to include any records relating to an investigation of abuse in which the child was an alleged or confirmed victim of sexual abuse while residing in a foster home or other residential child-care facility. The bill requires the Department of Family and Protective Services, if the licensed child-placing agency or other person placing the child for adoption does not have the information required by the bill, to provide the information to the prospective adoptive parents of the child at the request of the licensed child-placing agency or other person placing the child for adoption.

### **EFFECTIVE DATE**

September 1, 2013.