

BILL ANALYSIS

Senate Research Center
85R8754 JSC-D

S.B. 1362
By: Campbell et al.
State Affairs
3/24/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Vital Statistics Unit (VSU) Voluntary Central Adoption Registry (CAR) is part of a voluntary mutual-consent registry system. The registry is maintained by the state, allowing adult adoptees, biological parents, or biological siblings to voluntarily locate each other without a court order.

A match occurs when an adult adoptee and his or her biological parent or an adoptee's biological sibling voluntarily place their name on an adoption registry. The registry releases identifying information after the participants in the match complete a consent form. The form specifies the information the participant wants released, one hour of counseling that prepares each participant for the reunion, and a written biography or history including photos or other visual media.

While CAR provides an avenue for adoptees and biological parents, the awareness of the registries is limited. S.B. 1362 seeks to promote the registries through awareness to both adoptive families and biological families. Additionally, S.B. 1362 protects and maintains closed adoptions for those who choose it.

As proposed, S.B. 1362 amends current law relating to notification and informational materials regarding mutual consent voluntary adoption registries.

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. (a) Requires this Act to be known as the Mothers' Privacy Protection Act.

(b) Provides that it is the intent of the legislature that parties to an adoption be informed of all future contact options and resources, while respecting and protecting the decisions of parties to allow or not allow contact.

SECTION 2. Amends Section 162.403, Family Code, by adding Subsections (d) and (e), as follows:

(d) Requires the vital statistics unit (VSU) to develop informational materials for birth parents and adoptive parents regarding the central registry and the other registries established under Subsection (b) (relating to authorizing certain agencies to establish mutual consent voluntary adoption registries). Requires VSU to make the informational materials readily available on the Department of Family and Protective Services (DFPS) Internet website.

(e) Requires an agency authorized to place children for adoption (authorized agency) to notify in writing the birth and adoptive parents of a child for whom the authorized agency is providing adoption services of the existence of the central registry and any registry established by the authorized agency or by another authorized agency or an association of those agencies with whom the authorized agency contracts to perform registry services on

its behalf, as applicable, and to provide the birth and adoptive parents with the informational materials described by Subsection (d).

SECTION 3. Requires the VSU of the Department of State Health Services to make available on its Internet website the informational materials required by Section 162.403(d), Family Code, as added by this Act, not later than January 1, 2018.

SECTION 4. Makes application of Section 162.403(e), Family Code, as added by this Act, prospective to January 1, 2018.

SECTION 5. Effective date: September 1, 2017.