

BILL ANALYSIS

C.S.H.B. 1854
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Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that there is confusion regarding the court with continuing, exclusive jurisdiction of a suit affecting the parent-child relationship when an adoption suit is filed either in the county where the child resides or in the county where the petitioners reside. C.S.H.B. 1854 seeks to clarify that the court with original jurisdiction loses its right to render child custody and support orders once the final order of adoption is rendered by the subsequent court.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

C.S.H.B. 1854 amends the Family Code to change one of the conditions that cause a court to lose continuing, exclusive jurisdiction to modify its order in a suit affecting the parent-child relationship by specifying that the loss of jurisdiction is triggered by an order being rendered by another court in an original suit in which adoption is requested filed in the county where the child resides or in the county where the petitioners reside. The bill establishes that an order of adoption rendered in an applicable suit on or after September 1, 2015, but before the bill's effective date by a court that had jurisdiction to render the order regardless of whether another court had continuing, exclusive jurisdiction is a final order and is not subject to an appeal on the basis that the court rendering the order of adoption did not have continuing, exclusive jurisdiction at the time the adoption order was rendered.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1854 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute makes revisions to the provision establishing the finality of certain orders of adoption rendered on or after September 1, 2015, but before the bill's effective date.