

By: Harris, Metcalf, Allison, Howard, et al.

H.B. No. 1386

A BILL TO BE ENTITLED

AN ACT

relating to birth records of adopted persons; authorizing a fee.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 192.008, Health and Safety Code, is amended by amending Subsections (c) and (d) and adding Subsections (g) and (h) to read as follows:

(c) The executive commissioner shall adopt rules and procedures consistent with this section to ensure that birth records and indexes under the control of the department or local registrars and accessible to the general public do not contain information or cross-references through which the confidentiality of adoption placements may be directly or indirectly violated. The rules and procedures may not interfere with the registries established under Subchapter E, Chapter 162, Family Code, or with a court order under this section.

(d) Except as provided by Subsections (e), ~~and~~ (f), and (g), only the court that granted the adoption may order access to an original birth certificate and the filed documents on which a supplementary certificate is based.

(g) The state registrar shall on written request provide to a person who was adopted or, if the adopted person is deceased, an adult descendant, adult sibling, surviving spouse, or adoptive parent of the adopted person, a noncertified copy of the person's original birth certificate without obtaining a court order if:

1 (1) the adopted person was born in this state;

2 (2) the request is made on or after the adopted
3 person's 18th birthday;

4 (3) a supplementary birth certificate was issued for
5 the adopted person; and

6 (4) the person requesting the noncertified copy of
7 the original birth certificate provides, in person or by mail,
8 appropriate proof of the person's identity.

9 (h) For a noncertified copy of the person's original birth
10 certificate provided under Subsection (g), the state registrar
11 shall collect a fee in an amount equal to the fee charged for
12 issuance of a noncertified copy of a birth certificate and issue the
13 copy within the time prescribed for issuance of other noncertified
14 copies of birth certificates.

15 SECTION 2. Notwithstanding Sections [192.008](#)(g) and (h),
16 Health and Safety Code, as added by this Act, the state registrar is
17 not required to comply with those provisions until July 1, 2022.

18 SECTION 3. This Act takes effect September 1, 2021.