

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION

April 20, 2021

TO: Honorable Bryan Hughes, Chair, Senate Committee on State Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB1178 by Birdwell (relating to the rights and duties of parents and the protection of parental rights in suits affecting the parent-child relationship.), **Committee Report 1st House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Family Code to provide that in a suit, a parent is presumed to be a fit parent who acts in the best interest of his or her child. The bill would provide that the fundamental right of a parent to raise the parent's child includes the right to direct and make decisions for the child's care, custody, control, education, upbringing, moral and religious training, and medical care. The bill would provide that in a suit between a parent and a non-parent, the court cannot grant any relief that conflicts with a parent's decisions or proposed decisions for the child unless the court makes certain findings.

The bill would not apply to an action for child support and could not be construed to limit the rights of the state, including the right to investigate or act on a report of child abuse or neglect allegedly committed by a person responsible for a child's care, custody, or welfare, beyond the limitations required by the United States Constitution.

Based on information provided by the Office of Court Administration, no significant fiscal impact to the state court system is anticipated as a result from implementing the provisions of the bill.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Admin

LBB Staff: JMc, SMAT, BH, LBO, DKN, MW