

BILL ANALYSIS

H.B. 461
By: Smith
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Constituents and judges in House District 62 note that requirements for persons conducting adoption evaluations have increased over the years and that as a result there are not as many people qualified to conduct the evaluations. Some counties do not have many eligible evaluators, which can drive up the costs of these evaluations and the time needed to complete them. H.B. 461 seeks to address this issue by allowing a court to waive an adoption evaluation in cases where the prospective adoptive parent is a stepparent and the court has reviewed investigative records of the Department of Family and Protective Services and any criminal history record information maintained by the Department of Public Safety.

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

H.B. 461 amends the Family Code to authorize a court to waive the required adoption evaluation of a prospective adoptive parent in an uncontested suit for adoption if the prospective adoptive parent is the child's stepparent and the court has reviewed investigative records of the Department of Family and Protective Services and any criminal history record information maintained by the Department of Public Safety relating to the prospective adoptive parent. The bill requires the prospective adoptive parent to pay the costs of reviewing the records and information. The bill's provisions apply only to a suit for adoption that is pending in trial court on the bill's effective date or filed on or after that date.

EFFECTIVE DATE

September 1, 2023.