

BILL ANALYSIS

Senate Research Center
88R13467 BDP-D

S.B. 1389
By: Parker
Health & Human Services
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas currently provides additional services and funding for families that adopt children with special needs. This additional assistance does not apply, however, if the special need of the child presents itself after the adoption is finalized. Many special needs present themselves as children age, and the current system leaves families without the assistance they need to provide for their children.

S.B. 1389 requires that a family be eligible for special needs assistance for their child if they would have qualified for the assistance had the special need presented itself before adoption. Families will now be able to apply for assistance for needs that present themselves after adoption.

As proposed, S.B. 1389 amends current law relating to authorizing adoption assistance agreements for certain children after a final adoption order is rendered.

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. Amends Section 162.304, Family Code, by adding Subsection (b-3), as follows:

(b-3) Authorizes the Department of Family and Protective Services (DFPS) to enter into an adoption assistance agreement for a child after a court has entered a final order of adoption if the child:

- (1) after the adoption is finalized, is diagnosed by the child's health care provider as having special needs; and
- (2) would have qualified for adoption assistance under Subsection (a) (relating to requiring DFPS to administer an adoption assistance program for certain children and to enter into adoption assistance agreements with the adoptive parents of certain adopted children) if the child was determined to have special needs before the adoption.

SECTION 2. Provides that the changes in law made by this Act apply to an adoption for which the final order is rendered before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2023.