

By: Sparks

S.B. No. 2009

A BILL TO BE ENTITLED

AN ACT

relating to access to certain information in the adoption process.

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

SECTION 1. Sections 162.005(b) and (c), Family Code, are amended to read as follows:

(b) Before placing a child for adoption, the Department of Family and Protective Services, a licensed child-placing agency, or the child's parent or guardian shall compile a report on the available health, social, educational, and genetic history of the child to be adopted and distribute the report as required by this chapter.

(c) The department shall ensure that each licensed child-placing agency, single source continuum contractor, or other person placing a child for adoption receives a copy of any portion of the report prepared by the department not later than the 30th day after the date the child's permanency plan is changed to include adoption.

SECTION 2. Section 162.0062, Family Code, is amended by amending Subsection (a) and adding Subsections (a-2) and (a-3) to read as follows:

(a) Except as provided by Subsection (c), the prospective adoptive parents of a child are entitled to examine the records and other information relating to the history of the child, including confidential information other than the identity of the biological

1 parents and any other person whose identity is confidential. The
2 Department of Family and Protective Services, licensed
3 child-placing agency, or other person placing a child for adoption
4 shall inform the prospective adoptive parents of their right to
5 examine the records and other information relating to the history
6 of the child. The department, licensed child-placing agency, or
7 other person placing the child for adoption shall:

8 (1) redact each social security number from the
9 records and information; and

10 (2) edit the records and information to protect the
11 identity of the biological parents, any biological siblings adopted
12 by a different family, the adoptive parents of those biological
13 siblings, any person who made a report of abuse or neglect to the
14 department or a law enforcement agency, and any [other] person
15 whose identity is confidential under Section 262.308.

16 (a-2) A prospective adoptive parent must sign a
17 nondisclosure agreement before the department, licensed
18 child-placing agency, or other person placing the child for
19 adoption may release confidential information under this section.

20 (a-3) The department, licensed child-placing agency, or
21 other person placing the child for adoption shall provide the
22 information under this section not later than the 90th day after the
23 date the information is requested.

24 SECTION 3. This Act takes effect September 1, 2023.