

1-1 By: Sparks S.B. No. 2009  
1-2 (In the Senate - Filed March 9, 2023; March 21, 2023, read  
1-3 first time and referred to Committee on Health & Human Services;  
1-4 May 8, 2023, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 7, Nays 0; May 8, 2023, sent  
1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Kolkhorst	X		
1-10	Perry	X		
1-11	Blanco	X		
1-12	Hall	X		
1-13	Hancock	X		
1-14	Hughes		X	
1-15	LaMantia	X		
1-16	Miles		X	
1-17	Sparks	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2009 By: Sparks

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to access to certain information in the adoption process.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Sections 162.005(b) and (c), Family Code, are  
1-24 amended to read as follows:

1-25 (b) Before placing a child for adoption, the Department of  
1-26 Family and Protective Services, a licensed child-placing agency, or  
1-27 the child's parent or guardian shall compile a report on the  
1-28 available health, social, educational, and genetic history of the  
1-29 child to be adopted and distribute the report as required by this  
1-30 chapter.

1-31 (c) The department shall ensure that each licensed  
1-32 child-placing agency, single source continuum contractor, or other  
1-33 person placing a child for adoption receives a copy of any portion  
1-34 of the report prepared by the department not later than the 30th day  
1-35 after the date the child's permanency plan is changed to include  
1-36 adoption.

1-37 SECTION 2. Section 162.0062, Family Code, is amended by  
1-38 amending Subsection (a) and adding Subsections (a-2) and (a-3) to  
1-39 read as follows:

1-40 (a) Except as provided by Subsection (c), the prospective  
1-41 adoptive parents of a child are entitled to examine the records and  
1-42 other information relating to the history of the child, including  
1-43 confidential information other than the identity of the biological  
1-44 parents and any other person whose identity is confidential. The  
1-45 Department of Family and Protective Services, licensed  
1-46 child-placing agency, or other person placing a child for adoption  
1-47 shall inform the prospective adoptive parents of their right to  
1-48 examine the records and other information relating to the history  
1-49 of the child. The department, licensed child-placing agency, or  
1-50 other person placing the child for adoption shall:

1-51 (1) redact each social security number from the  
1-52 records and information; and

1-53 (2) edit the records and information to protect the  
1-54 identity of the biological parents, any biological siblings adopted  
1-55 by a different family, the adoptive parents of those biological  
1-56 siblings, any person who made a report of abuse or neglect to the  
1-57 department or a law enforcement agency, and any ~~other~~ person  
1-58 whose identity is confidential under Section 262.308.

1-59 (a-2) A prospective adoptive parent must sign a  
1-60 nondisclosure agreement before the department, licensed

2-1 child-placing agency, or other person placing the child for  
2-2 adoption may release confidential information under this section.

2-3 (a-3) The department, licensed child-placing agency, or  
2-4 other person placing the child for adoption shall provide the  
2-5 information under this section not later than the 90th day after the  
2-6 date the information is requested.

2-7 SECTION 3. This Act takes effect September 1, 2023.

2-8 \* \* \* \* \*