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| RESOLUTION ANALYSIS |

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| H.J.R. 112 |
| By: Frank |
| Judiciary & Civil Jurisprudence |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  According to the American Bar Association, federal case law over the last 100 years has outlined specific areas in which parents have a constitutionally protected right to make decisions for their children. However, the author has informed the committee that case law can be a fragile place for such a right to be established and, considering that the Texas Constitution does not currently expressly state the rights of parents with regard to the care, custody, or control of or decisions regarding their children, such a fundamental right deserves a securely established place in the constitution. H.J.R. 112 seeks to establish a clear and solid legal foundation to protect the rights of parents by establishing a parent's inherent right to exercise care, custody, and control of their child and to make decisions for their upbringing. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this resolution 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 resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution. |
| **ANALYSIS**  H.J.R. 112 proposes an amendment to the Texas Constitution to establish that a parent has the inherent right to exercise care, custody, and control of the parent's child and to make decisions for the upbringing of the parent's child. The resolution prohibits the state or a political subdivision of the state from interfering with those parental rights unless the interference is essential to further a compelling governmental interest and narrowly tailored to accomplish that compelling governmental interest. |
| **ELECTION DATE**  The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 4, 2025. |