

BILL ANALYSIS

H.B. 116
By: Dutton
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, there are numerous circumstances under which a parent-child relationship may be involuntarily terminated, particularly in cases involving abuse, neglect, or endangerment. In the 2025 State of the Judiciary Address, Chief Justice Jimmy Blacklock recommended eliminating the statutory provision that allows a parent's rights to be terminated forever if the parent fails to check every box on a long list of things the state wants them to do to get their child back, while noting that there is already another provision that allows termination of rights if the parent endangers the child. H.B. 116 implements that recommendation.

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. 116 amends the Family Code to remove as grounds for a court to terminate a parent-child relationship in the child's best interest the court finding by clear and convincing evidence that the parent has failed to comply with the provisions of a court order that specifically established the actions necessary for the parent to obtain the return of the child who has been in the permanent or temporary managing conservatorship of the Department of Family and Protective Services for not less than nine months as a result of the child's removal from the parent in a suit for the abuse or neglect of the child.

H.B. 116 applies to a suit affecting the parent-child relationship that is pending in a trial court on the bill's effective date or that is filed on or after that date.

EFFECTIVE DATE

September 1, 2025.