

BILL ANALYSIS

Senate Research Center
89R2384 AMF-D

H.B. 1973
By: Cook (Zaffirini)
Jurisprudence
5/19/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current Texas law, there is no requirement for a certified copy of a birth certificate to be filed with a petition in a suit affecting the parent-child relationship (SAPCR). This lack of verification opens the door for individuals to potentially file fraudulent claims to establish paternity or custody without sufficient proof of their legal relationship to the child. Inaccurate or incomplete information in these cases can lead to serious consequences for families and children, including custody or visitation orders based on false or misleading claims.

H.B. 1973 would close this verification gap by requiring that a certified copy of the child's birth certificate be submitted with the petition, if it is reasonably available. If the petitioner does not have access to the birth certificate, the court would be authorized to request the document from another party or accept alternative proof of parentage. This approach would help ensure that custody and parental rights are determined based on verified information, while still allowing flexibility for individuals who may not have immediate access to documentation.

H.B. 1973 amends current law relating to proof of the identity of a child's parents in a suit affecting the parent-child relationship.

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 102.008, Family Code, by adding Subsection (c-1) and amending Subsection (d), as follows:

(c-1) Requires the petitioner of a petition in a suit affecting the parent-child relationship to additionally submit to the court in which the petition is filed a certified copy of the child's birth certificate if available to the petitioner. Authorizes the court, if a certified copy of the child's birth certificate is not available to the petitioner, at any time during the pendency of the suit, to request another party to whom a certified copy of the child's birth certificate is available to submit a copy to the court. Authorizes the court, if a certified copy of the child's birth certificate is not available to any party or if the copy does not name both of the child's parents, to request from any party at any time during the pendency of the suit alternative proof of the identity of the child's parents. Requires the court to keep confidential any certificate or other proof submitted under this subsection.

(d) Provides that, notwithstanding any other provision of Section 102.008 (Contents of Petition), if the Title IV-D agency files a petition in a suit affecting the parent-child relationship, the agency is not required to take certain actions, including submitting to the court a copy of a child's birth certificate or other proof of the identity of the child's parents as described by Subsection (c-1). Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2025.