

BILL ANALYSIS

H.B. 1973
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee that state law does not require a certified copy of a birth certificate to be filed with a petition in a suit affecting the parent-child relationship, which creates a risk that individuals could fraudulently establish legal paternity or custody without proper verification. H.B. 1973 seeks to strengthen parental identity verification and prevent fraudulent parental claims in these suits by requiring petitioners to submit a certified copy of a birth certificate, if available, and by providing for a court to request the document from another party or an alternative proof of parentage.

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. 1973 amends the Family Code to require a petitioner in a suit affecting the parent-child relationship to additionally submit to the court a certified copy of the child's birth certificate if available to the petitioner. If a certified copy is not available to the petitioner, the court at any time during the pendency of the suit may request another party to whom a certified copy of the child's birth certificate is available to submit a copy to the court. However, 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, the court may request from any party at any time during the pendency of the suit alternative proof of the identity of the child's parents. The bill requires the court to keep confidential any certificate or other proof submitted under the bill's provisions.

H.B. 1973 exempts the child support division of the Office of the Attorney General (Title IV-D agency) from the bill's requirement to submit a certified copy of a child's birth certificate or other proof of the identity of the child's parents in filing a petition in a suit affecting the parent-child relationship.

H.B. 1973 applies to a suit affecting the parent-child relationship that is filed on or after the bill's effective date. A suit affecting the parent-child relationship filed before that date is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

EFFECTIVE DATE

September 1, 2025.