

BILL ANALYSIS

Senate Research Center
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H.B. 4795
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Health & Human Services
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In almost every adoptive placement, it is necessary to search the Paternity Registry, through the Department of State Health Services' (DSHS) Vital Statistics, before terminating parental rights and finalizing the adoption. However, it can currently take 6-8 weeks for the Paternity Registry to process search requests due to an outdated system that relies on paper operation.

Currently, search requests are required to be mailed and the only form of payment that is accepted is a check or money order. Another issue is with multiple search requests for the same child, occurring when multiple attorneys and people within the Department of Family and Protective Services (DFPS) are requesting a search of the Paternity Registry for the same child. In the current system, there is no way to pull or identify the prior search request. Instead, staff must redo the search and issue a new certificate showing the search had been completed. These issues have resulted in a backlog and often the delay is putting the adoption process in jeopardy.

H.B. 4795 amends the Texas Family Code to require the vital statistics unit of DSHS, using existing resources, to establish an electronic process through which DFPS may be involved in adoptions to request a paternity verification.

H.B. 4795 amends current law relating to duties of the vital statistics unit of the Department of State Health Services in relation to certain suits affecting the parent-child relationship, including in regard to the electronic transmission of certain information.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Texas Health and Human Services Commission in SECTION 3 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 155.101, Family Code, by amending Subsection (b) and adding Subsection (e), as follows:

(b) Requires the vital statistics unit, on the request, rather than written request, of the Department of Family and Protective Services (DFPS), the court, an attorney, or a party, to take certain actions.

(e) Requires the vital statistics unit, using existing sources, to establish an electronic process through which DFPS is authorized to request information under Section 155.101 (Request for Identification of Court of Continuing, Exclusive Jurisdiction).

SECTION 2. Amends Section 160.422, Family Code, by adding Subsection (a-1) and amending Subsection (b), as follows:

(a-1) Requires the vital statistics unit, using existing sources, to establish an electronic process through which DFPS is authorized to request information under Section 160.422 (Certificate of Search of Registry).

(b) Requires that the certificate of the results of a search include a digitized or written signature, rather than be signed, on behalf of the unit and state certain information.

SECTION 3. Requires the executive commissioner of the Health and Human Services Commission, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement the changes in law made by this Act.

SECTION 4. Makes application of this Act prospective to January 1, 2026.

SECTION 5. Effective date: upon passage or September 1, 2025.