

## **BILL ANALYSIS**

C.S.H.B. 4795

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Judiciary & Civil Jurisprudence  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee of several issues concerning the process for searches of the paternity registry, through the vital statistics unit of the Department of State Health Services, before terminating parental rights and finalizing an adoption. Specifically, the process can currently take six to eight weeks due to an outdated system that relies on paper operation, search requests are required to be mailed, and the only form of payment that is accepted is a check or money order. Additionally, multiple search requests for the same child by attorneys or other parties pose an issue, as under the current system there is no way to pull or identify the prior search request and staff must redo the search, resulting in a backlog that can delay the adoption process. C.S.H.B. 4795 seeks to streamline this process by including the Department of Family and Protective Services (DFPS) among the entities that may request certain information relating to the paternity registry or a suit affecting the parent-child relationship and providing for the establishment of an electronic process that DFPS may use to request that information.

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

### **ANALYSIS**

C.S.H.B. 4795 amends the Family Code to include the Department of Family and Protective Services (DFPS) among the entities the request of which triggers the requirement for the vital statistics unit of the Department of State Health Services (DSHS) to do the following:

- identify the court that last had continuing, exclusive jurisdiction of a child in a suit affecting the parent-child relationship and give the docket number of the suit; or
- state that the child has not been the subject of a suit.

The bill removes the requirement that such a request by an applicable entity be in writing and requires the vital statistics unit of DSHS, using existing resources, to establish an electronic process through which DFPS may request such information.

C.S.H.B. 4795 requires the vital statistics unit of DSHS, using existing resources, to establish an electronic process through which DFPS may request a certificate of the results of a search of the paternity registry and specifies that the required signature on such a certificate may be digitized or written.

C.S.H.B. 4795 requires the executive commissioner of the Health and Human Services Commission, as soon as practicable after the bill's effective date, to adopt rules necessary to implement the bill's provisions.

C.S.H.B. 4795 applies only to a request received by the vital statistics unit of DSHS on or after January 1, 2026. A request received before January 1, 2026, is governed by the law in effect immediately before the bill's effective date, and the former law is continued in effect for that purpose.

### **EFFECTIVE DATE**

September 1, 2025.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 4795 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Both versions of the bill require the vital statistics unit of DSHS to establish an electronic process through which an applicable entity may request specified information relating to a child in a suit affecting the parent-child relationship; however, the two versions differ as follows:

- the introduced provided for a process through which DFPS, the court, an attorney, or a party may request such information, whereas the substitute provides for a process through which DFPS may request the information; and
- the substitute specifies that the unit must use existing resources for the requirement, whereas the introduced did not.

Both versions of the bill require the vital statistics unit of DSHS to establish an electronic process through which an applicable entity may request a certificate of the results of a search of the paternity registry; however, the two versions differ as follows:

- the introduced provided for a process through which an individual, a court, or an applicable agency may request a certificate, whereas the substitute provides for a process through which DFPS may request a certificate; and
- the substitute specifies that the unit must use existing resources for the requirement, which the introduced did not.

The substitute omits a provision from the introduced that revised the requirement for the vital statistics unit to furnish a certificate of the results of a search of the paternity registry on request by an individual, court, or applicable agency by setting a deadline to furnish the certificate of not later than the 10th day after the date the request is received.