

By: Slawson

H. B. No. 4611

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to mutual consent voluntary adoption registries.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 162.407, Family Code, is amended by  
5 amending Subsections (a) and (d) and adding Subsection (d-1) to  
6 read as follows:

7                   (a) The administrator shall require each registration  
8 applicant to sign a written application or electronically sign an  
9 online application.

10 (d) The administrator may not accept an application for  
11 registration unless the applicant:

12 (1) provides proof of identity as provided by Section  
13 162.408;

14 (2) establishes the applicant's eligibility to  
15 register; and

16 (3) pays all applicable [~~required~~] registration fees  
17 or submits an application for a fee waiver described by Section  
18 162.411(e) or (f).

19           (d-1) The administrator shall ensure that an applicant may  
20 submit the application, proof of identity, and any applicable fees  
21 or application for a fee waiver under Subsection (d) through an  
22 online submission portal.

23 SECTION 2. Section 162.409(a), Family Code, is amended to  
24 read as follows:

1 (a) An application must contain:

2 (1) the name, address, [and] telephone number, and  
3 e-mail address of the applicant;

4 (2) any other name or alias by which the applicant has  
5 been known;

6 (3) the age, date of birth, and place of birth of the  
7 applicant;

8 (4) the original name of the adoptee, if known;

9 (5) the adoptive name of the adoptee, if known;

10 (6) a statement that the applicant is willing to allow  
11 the applicant's identity to be disclosed to a registrant who is  
12 eligible to learn the applicant's identity;

13 (7) the name, address, and telephone number of the  
14 agency or other entity, organization, or person placing the adoptee  
15 for adoption, if known, or, if not known, a statement that the  
16 applicant does not know that information;

17 (8) an authorization to the administrator and the  
18 administrator's designees to inspect all vital statistics records,  
19 court records, and agency records, including confidential records,  
20 relating to the birth, adoption, marriage, and divorce of the  
21 applicant or to the birth and death of any child or sibling by birth  
22 or adoption of the applicant;

23 (9) the specific address to which the applicant wishes  
24 notice of a successful match to be mailed;

25 (10) a statement that the applicant either does or  
26 does not consent to disclosure of identifying information about the  
27 applicant after the applicant's death;

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1 (11) a statement that the registration is to be  
2 effective for 99 years or for a stated shorter period selected by  
3 the applicant; ~~and~~

4 (12) a statement that the adoptee applicant either  
5 does or does not desire to be informed that registry records  
6 indicate that the applicant has a biological sibling who has  
7 registered under this subchapter; and

10 SECTION 3. Section 162.411, Family Code, is amended by  
11 adding Subsections (f) and (g) to read as follows:

12                   (f) The administrator shall waive users' fees if the  
13 applicant is or ever has been in the conservatorship of the  
14 department or in foster care in another state.

15                   (g) The process for applying for the fee waivers described  
16 by Subsections (e) and (f) must be displayed prominently on:

19 (2) the Internet website of each administrator;

20 (3) each online application submission portal; and

21 (4) a written application for registration.

22 SECTION 4. Section 162.412(b), Family Code, is amended to  
23 read as follows:

24 (b) The administrator does not have a duty to search for a  
25 registrant who fails to register a change of name or address, except  
26 that the administrator shall attempt to contact by e-mail a  
27 registrant who has provided an e-mail address if a match has been

1 made but a name or address discrepancy is preventing the  
2 administrator from confirming the match.

3 SECTION 5. Section 162.416(a), Family Code, is amended to  
4 read as follows:

5 (a) When a match has been made and confirmed to the  
6 administrator's satisfaction, the administrator shall mail to each  
7 registrant, at the registrant's last known address, by fax or  
8 registered or certified mail, return receipt requested, delivery  
9 restricted to addressee only, a written notice:

10 (1) informing the registrant that a match has been  
11 made and confirmed;

12 (2) reminding the registrant that the registrant may  
13 withdraw the registration before disclosures are made, if desired;  
14 and

15 (3) notifying the registrant that before any  
16 identifying disclosures are made, the registrant must[+]

17 [A] sign a written consent to disclosure that  
18 allows the disclosure of identifying information about the other  
19 registrants to the registrant and allows the disclosure of  
20 identifying information about the registrant to other  
21 registrants[+]

22 [B] participate in counseling for not less than  
23 one hour with a social worker or mental health professional who has  
24 expertise in postadoption counseling; and

25 [C] provide the administrator with written  
26 certification that the counseling required under Subdivision (B)  
27 has been completed].

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1 SECTION 6. Section [162.413](#), Family Code, is repealed.

2 SECTION 7. As soon as practicable after the effective date  
3 of this Act, the vital statistics unit of the Department of State  
4 Health Services shall update as necessary the application as  
5 required by Section [162.409\(a\)](#), Family Code, as amended by this  
6 Act.

7 SECTION 8. This Act takes effect September 1, 2025.