

By: Slawson

H.B. No. 4611

A BILL TO BE ENTITLED

AN ACT

relating to mutual consent voluntary adoption registries.

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

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

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

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

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

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

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

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

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

(a) An application must contain:

(1) the name, address, ~~and~~ telephone number, and
e-mail address of the applicant;

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

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

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

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

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

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

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

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

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

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

8 (13) an explanation of the process for applying for
9 the fee waivers described by Sections 162.411(e) and (f).

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:

17 (1) the Internet website of the Department of State
18 Health Services;

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].

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.