

By: Hull

H.B. No. 4730

A BILL TO BE ENTITLED

AN ACT

relating to the voluntary relinquishment of parental rights,
adoption, and the regulation of child-placing agencies.

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

SECTION 1. Section 161.103, Family Code, is amended by
amending Subsections (a) and (e) and adding Subsection (b-1) to
read as follows:

(a) An affidavit for voluntary relinquishment of parental
rights must be:

(1) on the form adopted by the Health and Human
Services Commission in conjunction with the Department of Family
and Protective Services under Subsection (b-1);

(2) signed by the parent, whether or not a minor, whose
parental rights are to be relinquished on or after the seventh day
after the date of the birth of the child~~[, but not before 48 hours
after the birth of the child, by the parent, whether or not a minor,
whose parental rights are to be relinquished]~~;

(3) ~~[(2)]~~ witnessed by two credible persons; and

(4) ~~[(3)]~~ verified before a person authorized to take
oaths.

(b-1) The Health and Human Services Commission, in
conjunction with the Department of Family and Protective Services,
shall adopt and make available on each agency's publicly accessible
Internet website a form to be used for an affidavit for voluntary

relinquishment of parental rights. The form must include an explanation of:

(1) the circumstances under which an affidavit for voluntary relinquishment of parental rights may be revoked and procedures for revocation; and

(2) the parent's right to:

(A) seek child support if the parent chooses to not relinquish the parent's rights;

(B) consider alternatives to adoption, including kinship care or temporary assistance;

(C) apply for and potentially receive government benefits;

(D) consult with an attorney before signing the affidavit;

(E) seek counseling regarding adoption and relinquishment of parental rights;

(F) receive information regarding post-adoption contact agreements;

(G) request non-identifying information regarding prospective adoptive parents, including general demographic information and information regarding lifestyle and values;

(H) receive a copy of each signed document related to the relinquishment of parental rights, including the affidavit and any adoption agreement;

(I) receive any medical record or genetic screening information related to the child before relinquishment;

1 and

2 (J) register with a mutual consent voluntary
3 adoption registry established under Subchapter E, Chapter 162,
4 including the central registry established and maintained by the
5 vital statistics unit.

6 (e) The relinquishment in an affidavit that designates the
7 Department of Family and Protective Services or a licensed
8 child-placing agency to serve as the managing conservator is
9 irrevocable. A relinquishment in any other affidavit of
10 relinquishment is revocable [~~unless it expressly provides that it~~
11 ~~is irrevocable~~] for [~~a stated period of time not to exceed~~] 60 days
12 after the date of its execution.

13 SECTION 2. Subchapter A, Chapter 162, Family Code, is
14 amended by adding Section 162.0063 to read as follows:

15 Sec. 162.0063. NOTICE OF RIGHTS FOR PROSPECTIVE ADOPTIVE
16 PARENTS. (a) In this section:

17 (1) "Commission" means the Health and Human Services
18 Commission.

19 (2) "Department" means the Department of Family and
20 Protective Services.

21 (b) The commission, in conjunction with the department,
22 shall adopt a form to notify a prospective adoptive parent of the
23 parent's rights related to adoption. The commission and the
24 department shall make the form available on each agency's publicly
25 accessible Internet website. The form must include an explanation
26 of an adoptive parent's right to:

27 (1) know the location and conditions of the child's

1 birth, including any drugs administered to the child or the child's
2 mother during birth;

3 (2) examine the records and other information relating
4 to the history of the child under Section 162.0062, including
5 prenatal records and genetic screening records;

6 (3) be informed of any legal risks related to the
7 prospective adoption, including pending paternity claims or other
8 contests;

9 (4) receive copies of all legal documents related to
10 the adoption;

11 (5) request non-identifying information regarding the
12 biological parents and any biological siblings of the child,
13 including general demographic information;

14 (6) seek access to post-adoption resources, including
15 counseling, legal assistance, and support groups; and

16 (7) receive an itemized list of each cost associated
17 with an adoption.

18 (c) The department, a licensed child-placing agency, or
19 other person placing a child for adoption shall provide the notice
20 adopted under this section to a prospective adoptive parent.

21 SECTION 3. Section 42.042(h-1), Human Resources Code, is
22 amended to read as follows:

23 (h-1) The executive commissioner shall adopt rules
24 governing:

25 (1) the placement and care of children by a
26 child-placing agency, as necessary to ensure the health and safety
27 of those children;

(2) the verification and monitoring of agency foster homes and adoptive homes by a child-placing agency; ~~and~~

(3) minimum training standards for an employee, director, or operator of a child-placing agency;

(4) annual compliance reporting by child-placing agencies;

(5) random audits of child-placing agencies to ensure compliance with training standards and licensing requirements;

(6) procedures for the filing of a complaint against a child-placing agency; and

(7) if appropriate, child-placing agency staffing levels, office locations, and administration.

SECTION 4. The heading to Section 42.0421, Human Resources Code, is amended to read as follows:

Sec. 42.0421. MINIMUM TRAINING STANDARDS: REGULATED CHILD CARE FACILITY.

SECTION 5. Subchapter C, Chapter 42, Human Resources Code, is amended by adding Section 42.04211 to read as follows:

Sec. 42.04211. MINIMUM TRAINING STANDARDS: CHILD-PLACING AGENCY. The minimum training standards prescribed by the executive commissioner under Section 42.042(h-1) must require an employee, director, or operator of a child-placing agency to receive training regarding parental rights of adoptive parents and procedures for the relinquishment of parental rights.

SECTION 6. (a) As soon as practicable after the effective date of this Act but not later than March 1, 2026, the Health and Human Services Commission, in conjunction with the Department of

1 Family and Protective Services, shall adopt the forms required by
2 Sections 161.103(b-1) and 162.0063(b), Family Code, as added by
3 this Act.

4 (b) Section 161.103, Family Code, as amended by this Act,
5 applies only to the relinquishment of parental rights to a child
6 born on or after March 1, 2026.

7 (c) Section 162.0063(c), Family Code, as added by this Act,
8 applies beginning with adoption placement services provided on or
9 after March 1, 2026.

10 SECTION 7. As soon as practicable after the effective date
11 of this Act but not later than January 1, 2026, the executive
12 commissioner of the Health and Human Services Commission shall
13 adopt rules as required by Section 42.042(h-1), Human Resources
14 Code, as amended by this Act.

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