

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 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 Department of Family and Protective Services
shall adopt and make available on the department'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 (1) the circumstances under which an affidavit for
2 voluntary relinquishment of parental rights may be revoked and
3 procedures for revocation; and

4 (2) the parent's right to:

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

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

9 (C) apply for and potentially receive government
10 benefits;

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

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

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

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

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

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

27 (J) register with a mutual consent voluntary

1 adoption registry established under Subchapter E, Chapter 162,
2 including the central registry established and maintained by the
3 vital statistics unit.

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

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

13 Sec. 162.0063. NOTICE OF RIGHTS FOR PROSPECTIVE ADOPTIVE
14 PARENTS. (a) In this section, "department" means the Department of
15 Family and Protective Services.

16 (b) The department shall adopt and make available on its
17 publicly accessible Internet website a form to notify a prospective
18 adoptive parent of the parent's rights related to adoption. The
19 form must include an explanation of an adoptive parent's right to:

20 (1) know the location and conditions of the child's
21 birth, including any drugs administered to the child or the child's
22 mother during birth;

23 (2) examine the records and other information relating
24 to the history of the child under Section 162.0062, including
25 prenatal records and genetic screening records;

26 (3) be informed of any legal risks related to the
27 prospective adoption, including pending paternity claims or other

1 contests;

2 (4) receive copies of all legal documents related to
3 the adoption;

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

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

9 (7) receive an itemized list of each cost associated
10 with an adoption.

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

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

16 (h-1) The executive commissioner shall adopt rules
17 governing:

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

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

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

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

27 (5) random audits of child-placing agencies to ensure

1 compliance with training standards and licensing requirements;

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

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

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

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

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

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

18 SECTION 6. (a) As soon as practicable after the effective
19 date of this Act but not later than March 1, 2026, the Department of
20 Family and Protective Services shall adopt the forms required by
21 Sections 161.103(b-1) and 162.0063(b), Family Code, as added by
22 this Act.

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

26 (c) Section 162.0063(c), Family Code, as added by this Act,
27 applies beginning with adoption placement services provided on or

1 after March 1, 2026.

2 SECTION 7. As soon as practicable after the effective date
3 of this Act but not later than January 1, 2026, the executive
4 commissioner of the Health and Human Services Commission shall
5 adopt rules as required by Section [42.042\(h-1\)](#), Human Resources
6 Code, as amended by this Act.

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