

By: Villalobos, Capriglione, Leo Wilson

H.B. No. 5149

A BILL TO BE ENTITLED

AN ACT

relating to restricting the collection and use of DNA samples from children in the managing conservatorship of the Department of Family and Protective Services.

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

SECTION 1. Subchapter B, Chapter 264, Family Code, is amended by adding Section 264.131 to read as follows:

Sec. 264.131. USE OF FOSTER CHILD DNA FOR CERTAIN PURPOSES PROHIBITED. The department may not collect or use a DNA sample from a child in the managing conservatorship of the department for any purpose without:

(1) the written consent of an adult having actual care, control, and possession of the child as the child's primary caregiver; or

(2) a court order.

SECTION 2. This Act takes effect September 1, 2025.