

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.

H.B. No. 5149

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President of the Senate

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Speaker of the House

I certify that H.B. No. 5149 was passed by the House on May 10, 2025, by the following vote: Yeas 131, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 5149 was passed by the Senate on May 25, 2025, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor