

## **BILL ANALYSIS**

Senate Research Center  
78R9567 KLA-D

H.B. 1497  
By: Dutton (Gallegos)  
Jurisprudence  
5/21/2003  
Engrossed

### **DIGEST AND PURPOSE**

The Texas Family Code requires that a married person petitioning to adopt an adult be joined by his or her spouse. This provision has merit, since the adoption can change inheritance and other matters affecting both spouses. However, the Family Code is not clear as to whether the court can grant the adoption to only one spouse. The problem occurs when one of the spouses is adopting an adult stepchild from a prior marriage but his or her current spouse does not have a relationship with the adoptee.

H.B.1497 authorizes the court to grant the adult adoption to one or both of the petitioning spouses.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 162.506, Family Code, as follows:

- (a) Created from existing text.
- (b) Authorizes the court, notwithstanding that both spouses have joined in a petition for the adoption of an adult as required by Section 162.503(b), to grant the adoption of the adult to both spouses or, on request of the spouses, to only one spouse.

SECTION 2. Makes application of Section 162.506, Family Code, as amended by this Act, prospective.

SECTION 3. Effective date: upon passage or September 1, 2003.