

BILL ANALYSIS

Senate Research Center
79R11341 KKA-D

C.S.S.B. 1377
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Jurisprudence
4/22/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, Section 405.301, Government Code, requires the secretary of state to charge a \$10 fee for each official certificate, including apostilles, regardless of the number needed. Currently, individuals seeking to adopt a child in another country may spend over \$500 for apostilles in adoption proceedings for one child.

C.S.S.B. 1377 increases from \$10 to \$15 the fee charged by the secretary of state for each official certificate and limits the amount the secretary of state can charge for apostilles requested for use in proceedings related to the adoption of a child in another country to \$100, regardless of the number of apostilles requested in conjunction with the adoption of that child.

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 405.031, Government Code, by amending Subsections (a) and (f) and adding Subsection (a-1), as follows:

(a) Requires the secretary of state to charge a fee of \$15, rather than \$10, for each official certificate for use of the state.

(a-1) Requires the secretary of state, notwithstanding Subsection (a)(1), to charge for the use of the state, a fee of \$10, for the issuance of an apostille requested for the use in proceedings related to the adoption of a child in another country, provided that the total fees charged for apostilles issued in connection with the adoption of one child may not exceed \$100.

(f) Requires a fee paid under Subsection (a-1) to be paid in advance to the secretary of state's office.

SECTION 2. Effective date: September 1, 2005.