

BILL ANALYSIS

Senate Research Center
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H.B. 1781
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State Affairs
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, a child adopted out of the foster care system who is under the age of 18 cannot file an original suit to gain visitation rights to a biological sibling. As a result, the biological siblings have a difficult time maintaining their relationship when they are separated during childhood.

H.B. 1781 seeks to provide a means of facilitating contact among biological siblings at an earlier age by granting standing to the parents of an adopted child to request access to a biological sibling of that child. This change has the effect of allowing minor adopted children to gain access to their siblings prior to reaching the age of 18.

H.B. 1781 amends current law relating to access by a sibling of a child separated from the sibling due to an action by the Department of Family and Protective Services.

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 102.0045, Family Code, by adding Subsection (a-1), as follows:

(a-1) Authorizes the sibling of a child who is separated from the sibling as the result of an action by the Department of Family and Protective Services to file an original suit as provided by Section 153.551 (Suit for Access) requesting access to the child, regardless of the age of the sibling. Requires a court to expedite a suit filed under this subsection.

SECTION 2. Effective date: September 1, 2015.