

BILL ANALYSIS

H.B. 3052
By: Herrero
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties express concern that under an authorization agreement allowing a nonparent relative to make certain decisions on behalf of a child, the authorized relative is often unable to obtain certain identification documents for the child. The goal of H.B. 3052 is to allow the authorized relative to obtain such documents and to make certain other changes to the law to simplify the authorization agreement process for an authorized relative.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3052 amends the Family Code to include among the acts a relative of a child may perform under an authorization agreement between the relative and the child's parent obtaining copies or originals of state-issued personal identification documents for the child, including the child's birth certificate, and to the extent authorized under federal law, copies or originals of federally issued personal identification documents for the child, including the child's social security card. The bill expands the prohibition against a parent executing an authorization agreement without a written order by the appropriate court if the appropriate court has continuing, exclusive jurisdiction over the child to include prohibiting a parent from executing the agreement without the required court order if any court has such jurisdiction over the child. The bill makes mandatory the conditional requirement for the parties to an authorization agreement to mail a copy of an executed agreement by first class mail or international first class mail to a parent who did not sign and is not a party to the agreement and changes the deadline by which the parties must mail a copy of the agreement in this manner from not later than the 45th day after the date the agreement is executed to not later than the 10th day after the date the authorization agreement is executed. The bill revises the statements an authorization agreement is required to contain to reflect the bill's changes.

EFFECTIVE DATE

September 1, 2017.