

BILL ANALYSIS

Senate Research Center
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S.B. 1000
By: Jackson
Jurisprudence
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DIGEST AND PURPOSE

Under current Texas law, there are no statutes regulating the international adoption process leaving the procedure for these matters to be determined by each individual county. As proposed, S.B. 1000 provides unified procedures relating to international adoptions and the birth certification of such adoptees.

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 Chapter 162A, Family Code, by adding Section 162.023, as follows:

Sec. 162.023. ADOPTION ORDER FROM FOREIGN COUNTRY. (a) Requires that an adoption order rendered under due process of law by a court of a foreign country, except as otherwise provided by federal law, be accorded full faith and credit by the courts of this state and enforced as if the order were rendered by a court in this state.

(b) Requires a Texas resident who adopts a child in a foreign country to register the order in this state. Authorizes a petition for registration of a foreign adoption order to be combined with a petition for a name change under Chapter 45. Requires the court to order the state register to take certain enumerated actions if the court finds that the foreign adoption order meets the requirements of Subsection (a).

SECTION 2. Amends Chapter 192A, Health and Safety Code, by adding Section 192.0095, as follows:

Sec. 192.0025. CERTIFICATE OF FOREIGN BIRTH. (a) Requires the state registrar, on order of a court, to prepare and register a certificate of foreign birth for an adoptee born in a foreign country who is not a citizen of the United States and whose judgment of adoption was entered by a court of this state.

(b) Requires that the certificate be based on the report or certified copy of the adoption decree and evidence of the date and place of the adoptee's birth.

(c) Requires that the certificate be labeled "Certificate of Foreign Birth" and show the country and date of birth of the adoptee. Requires that the certificate include a statement that the certificate is not evidence of United States citizenship.

(d) Prohibits the Texas Department of Health (department) from preparing a certificate of foreign birth for the child if the adoptee was born in a foreign country but was a citizen of the United States at the time of birth. Requires the department to notify the

adoptive parents, or the adoptee if of legal age, of the procedure for obtaining a revised birth certificate through the United States Department of State.

SECTION 3. Effective date: September 1, 2001.