

## **BILL ANALYSIS**

Senate Research Center  
78R6298 JMM-F

H.B. 1648  
By: Morrison (Shapiro)  
Jurisprudence  
5/9/2003  
Engrossed

### **DIGEST AND PURPOSE**

Current Texas law provides that any person, other than a foster parent, may join a lawsuit or file an original suit if that person can prove actual possession of a child for a period of six months or if such person can prove that a child and the child's managing conservator or guardian have lived with the person for a period of six months and the child's managing conservator or guardian are deceased. However, a foster parent must have a child in the foster parent's home for a minimum of one year before gaining legal standing to file a lawsuit for adoption or any other purpose. H.B. 1648 allows a person who is the foster parent of a child to adopt a child at any time after the person has been approved to adopt the 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 102.003, Family Code, by adding Subsection (c), to authorize a person who is the foster parent of a child, notwithstanding the time requirements of Subsection (a)(12), to file a suit to adopt a child for whom the person is providing foster care at any time after the person has been approved to adopt the child. Provides that the standing to file suit under this subsection applies only to the adoption of a child who is eligible to be adopted.

SECTION 2. (a) Effective date: September 1, 2003.

(b) Makes application of this Act prospective.