

BILL ANALYSIS

Senate Research Center

H.B. 2886
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Health & Human Services
5/10/2003
Engrossed

DIGEST AND PURPOSE

Currently when an attorney submits an incorrect or incomplete form mandated by Texas law, the Bureau of Vital Statistics returns the form to the district clerk. The district clerk has no enforcement authority to encourage attorneys to make the corrections or additions to the form. H.B. 2886 requires certain forms submitted to the Bureau of Vital Statistics which need corrections to be mailed directly from the Bureau of Vital Statistics to the attorney of record designated on the certificate.

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 192.009, Health and Safety Code, by adding Subsection (d), as follows:

(d) Requires the bureau of vital statistics (bureau), if the bureau determines that a certificate filed with the state registrar under this section requires correction, to mail the certificate directly to an attorney of record with respect to the petition of adoption, annulment of adoption, or revocation of adoption. Requires the attorney to return the corrected certificate to the bureau. Requires the bureau, if there is no attorney of record, to mail the certificate to the clerk of the court for correction.

SECTION 2. Amends Section 194.002, Health and Safety Code, by adding Subsection (f), as follows:

(f) Requires the bureau, if the bureau determines that a report filed with the bureau under this section requires correction, to mail the report form directly to an attorney of record with respect to the divorce or annulment of marriage. Requires the attorney to return the corrected report form to the bureau. Requires the bureau, if there is no attorney of record, to mail the report form to the district clerk for correction.

SECTION 3. Amends Section 108.003, Family Code, by adding Subsection (c), as follows:

(c) Requires the bureau, if the bureau determines that a report filed with the bureau under this section requires correction, to mail the report directly to an attorney of record with respect to the adoption. Requires the attorney to return the corrected report to the bureau. Requires the bureau, if there is no attorney of record, to mail the report to the clerk of the court for correction.

SECTION 4. Amends Subchapter E, Chapter 6, Family Code, by adding Section 6.410, as follows:

Sec. 6.410. REPORT TO ACCOMPANY PETITION. Requires the petitioner, at the time a petition for divorce or annulment of a marriage is filed, to also file a completed report that may be used by the district clerk, at the time the petition is granted, to comply

with Section 194.002, Health and Safety Code.

SECTION 5. Amends Subchapter G, Chapter 162, Family Code, by adding Section 162.602, as follows:

Sec. 162.602. DOCUMENTATION TO ACCOMPANY PETITION FOR ADOPTION OR ANNULMENT OR REVOCATION OF ADOPTION. Requires the petitioner, at the time a petition for adoption or annulment or revocation of adoption is filed, to also file completed documentation that may be used by the clerk of the court, at the time the petition is granted, to comply with Section 192.009, Health and Safety Code, and Section 108.003.

SECTION 6. Effect date: September 1, 2003.
Makes application of this Act