

## **BILL ANALYSIS**

Senate Research Center  
79R175 UM-F

H.B. 204  
By: Goodman (Harris)  
Jurisprudence  
4/29/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Under current law, an individual adopted during adulthood may inherit from a biological parent if the biological parent dies intestate, though a biological parent may not inherit from or through an adopted adult. H.B. 204 prohibits an adopted adult from inheriting from or through the adult's biological parent through intestate succession. Biological parents will still be unable to inherit from or through an adopted adult through intestate succession.

This bill only pertains to cases in which the biological parent does not have a will. If the biological parent has a will, then the adopted adult can inherit from the biological parent according to the provisions of the will.

### **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 162.507(c), Family Code, to prohibit an adopted adult from inheriting from or through the adult's biological parent, rather than authorizing the adopted adult to retain the right to inherit from the adult's biological parents. Makes a conforming change.

SECTION 2. Amends Section 40, Texas Probate Code, to create an exception, as provided by Section 162.507(c), Family Code, to the rule that an adopted child inherits from and through his or her natural parent or parents.

SECTION 3. Makes application of this Act prospective to the estate of a person who dies on or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2005.