

BILL ANALYSIS

H.B. 369
By: Cain
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that changes are needed to the law relating to jurisdiction in a suit for the adoption of a child and to the transfer of venue in such suits to provide for proper compliance with certain requirements. H.B. 369 seeks to address this issue by requiring a court with continuing and exclusive jurisdiction of a suit affecting the parent-child relationship with respect to a child for whom adoption is sought to transfer the suit to the county in which the child resides.

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. 369 amends the Family Code to require a petition filed in a suit affecting the parent-child relationship in which adoption of a child is requested to include a statement that the court in which the petition is filed has jurisdiction of the suit. The bill requires a court having continuing, exclusive jurisdiction of a suit affecting a parent-child relationship, on the filing of a motion showing that a suit in which adoption of the child is requested has been filed in another court located in the county in which the child resides and requesting a transfer to that court, to transfer the proceedings to the court in which the suit for adoption is pending within the time prescribed by law. The bill authorizes such a motion to be filed at any time and requires the motion to contain a certification that all other parties, including the attorney general, if applicable, have been informed of the filing of the motion.

EFFECTIVE DATE

September 1, 2019.