

BILL ANALYSIS

Senate Research Center
77R5901 JMM-F

S.B. 933
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Jurisprudence
3/15/2001
As Filed

DIGEST AND PURPOSE

Currently, a parent who offers a child for adoption has ten days from the date the parent signs an affidavit to rescind the decision. Additionally, the law requires that the affidavit contain a statement that notifies a parent of the parent's right to revoke the decision within the ten day period. As proposed, S.B. 933 requires the affidavit to include statements that a parent is aware of the right to revoke and the associated time frame; and that a parent is aware that there is no guarantee of anonymity from the child being relinquished. It also allows the revocation of affidavits that designate child placing agencies as conservators; and allows a parent to request a copy of an affidavit from the court clerk for a fee.

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 Sections 161.103(b), (d), and (e), Family Code, as follows:

- (b) Requires the affidavit to contain, if the relinquishment of parental rights is revocable, a statement that the parent signing the affidavit is aware that the parent may revoke the affidavit before the 11th day after the date the affidavit is executed. Requires the affidavit to contain a statement that the parent signing the affidavit is aware that no person or entity can guarantee the birth parent anonymity from the child the birth parent is relinquishing.
- (d) Entitles the parent signing the affidavit to a copy of the filed affidavit from the clerk of the court on payment of the required fee.
- (e) Deletes language regarding the irrevocability of a relinquishment affidavit as applicable to a licensed child placing agency serving as the managing conservator.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2001.