

Unmarried America



the promise of equality applies to everyone regardless of marital status

April 24, 2003

Honorable Ken Marchant
House of Representatives
1W.04 Capitol Building
Austin, TX 78768-0468

Re: House Bill 1911 to ban single people from being foster parents

Dear Representative Marchant:

I am writing to you in your capacity of Chair of the Committee on State Affairs of the Texas House of Representatives. Earlier this week, a hearing was held in your committee on House Bill 1911, a bill that would prohibit the state from placing a child in a home with any unmarried individuals. The author of this irrational and mean-spirited bill is Representative Robert Talton (R-Pasadena).

This bill is unprecedented. Never has a state Legislature banned single people from being foster parents, or prohibited the placement of a child in a foster home in which any unmarried individuals reside. To my knowledge, no state legislator has ever proposed such a measure, until Rep. Talton introduced this bill in the Texas Legislature.

House Bill 1911 is blatantly unconstitutional under both the Texas and the United States Constitutions. It violates due process of law because there is no rational basis for a restriction of this nature based on the marital status of a prospective foster parent or occupants of his or her home.

This bill would prohibit the placement of a foster child in more than 47 percent of Texas households which, according to the most recent data from the U.S. Census Bureau, are headed by unmarried individuals. A majority of households in the following cities would be excluded from the foster care program since, according to the 2000 U.S. Census, a majority of households in these places are headed by single people: Austin, Beaumont, Dallas, Ft. Worth, Houston, Lubbock, San Antonio, Temple, Tyler and Wichita Falls.

And to show how absurd this bill really is, the following state legislators would be banned from being licensed foster parents simply because they are unmarried: **House Republicans:** Dennis Bonnen, Dianne Delisi, Mary Denny, Kent Grusendorf, Bryan Hughes, Terry Keel, Brian McCall. **House Democrats:** Norma Chavez, Yvonne Davis, Dawanna Dukes, Jessica Farrar, Terri Hodge, John Mabry, Jose Menendez, Joe Moreno, Paul Moreno, Elliott Naishtat, Rene Oliveira, Irma Rangel, Senfronia Thompson, Sylvester Turner. **Senate Republican:** Teel Bivins. **Senate Democrat:** John Whitmire.

House Bill 1911 is an affront to the 5 million unmarried adults living in Texas. We hope you and other committee members will consider these facts when you deliberate on this outrageous legislative proposal.

Yours truly,

Thomas F. Coleman
Executive Director

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