

AN ACT

relating to the circumstances under which a child may be adopted.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 162.001(b), Family Code, is amended to read as follows:

(b) A child residing in this state may be adopted if:

(1) the parent-child relationship as to each living parent of the child has been terminated or a suit for termination is joined with the suit for adoption;

(2) the parent whose rights have not been terminated is presently the spouse of the petitioner and the proceeding is for a stepparent adoption;

(3) the child is at least two years old, the parent-child relationship has been terminated with respect to one parent, the person seeking the adoption [~~is the child's former stepparent and~~] has been a managing conservator or has had actual care, possession, and control of the child for a period of six months preceding the adoption or is the child's former stepparent, and the nonterminated parent consents to the adoption; or

(4) the child is at least two years old, the parent-child relationship has been terminated with respect to one parent, and the person seeking the adoption is the child's former stepparent and has been a managing conservator or has had actual care, possession, and control of the child for a period of one year

1 preceding the adoption.

2 SECTION 2. (a) This Act takes effect September 1, 2003.

3 (b) The change in law made by this Act applies only to a suit  
4 for adoption filed on or after the effective date of this Act. A  
5 suit for adoption filed before the effective date of this Act is  
6 governed by the law in effect on the date the suit was filed, and the  
7 former law is continued in effect for that purpose.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 980 was passed by the House on April 3, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 980 on May 21, 2003, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 980 was passed by the Senate, with amendments, on May 20, 2003, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor