

By: Hupp

H.B. No. 1751

A BILL TO BE ENTITLED

AN ACT

1
2 relating to child support and medical support orders for certain
3 children in substitute care.

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

5 SECTION 1. Section 101.024, Family Code, is amended to read
6 as follows:

7 Sec. 101.024. PARENT. (a) "Parent" means the mother, a man
8 presumed to be the father, a man legally determined to be the
9 father, a man who has been adjudicated to be the father by a court of
10 competent jurisdiction, a man who has acknowledged his paternity
11 under applicable law, or an adoptive mother or father. Except as
12 provided by Subsection (b), the ~~[The]~~ term does not include a parent
13 as to whom the parent-child relationship has been terminated.

14 (b) A reference in this title to a parent includes a person
15 ordered to pay child support under Section 154.001(a-1) or to
16 provide medical support for purposes of establishing, determining
17 the terms of, modifying, or enforcing the order.

18 SECTION 2. Section 154.001, Family Code, is amended by
19 adding Subsection (a-1) to read as follows:

20 (a-1) The court shall order each person who is financially
21 able and whose parental rights have been terminated with respect to
22 a child in substitute care for whom the department has been
23 appointed managing conservator to support the child in the manner
24 specified by the order:

1 (1) until the earliest of:

2 (A) the child's adoption;

3 (B) the child's 18th birthday or graduation from
4 high school, whichever occurs later;

5 (C) removal of the child's disabilities of
6 minority by court order, marriage, or other operation of law; or

7 (D) the child's death; or

8 (2) if the child is disabled as defined in this
9 chapter, for an indefinite period.

10 SECTION 3. Section 154.006(a), Family Code, is amended to
11 read as follows:

12 (a) Unless otherwise agreed in writing or expressly
13 provided in the order or as provided by Subsection (b), the child
14 support order terminates on the marriage of the child, removal of
15 the child's disabilities for general purposes, or death of the
16 child or a parent or other person described by Section 154.001(a-1)
17 who is ordered to pay child support.

18 SECTION 4. Section 154.001, Family Code, as amended by this
19 Act, applies only to a person whose parent-child relationship with
20 respect to a child is terminated on or after the effective date of
21 this Act. A person whose parent-child relationship is terminated
22 before the effective date of this Act is governed by the law in
23 effect on the date the parent-child relationship was terminated,
24 and the former law is continued in effect for that purpose.

25 SECTION 5. This Act takes effect September 1, 2003.