

AN ACT

relating to court-ordered access to a child by the child's sibling.

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

SECTION 1. Chapter 102, Family Code, is amended by adding Section 102.0045 to read as follows:

Sec. 102.0045. STANDING FOR SIBLING. (a) The sibling of a child may file an original suit requesting access to the child as provided by Section 153.551 if the sibling is at least 18 years of age.

(b) Access to a child by a sibling of the child is governed by the standards established by Subchapter J, Chapter 153.

SECTION 2. Chapter 153, Family Code, is amended by adding Subchapter J to read as follows:

SUBCHAPTER J. RIGHTS OF SIBLINGS

Sec. 153.551. SUIT FOR ACCESS. (a) The sibling of a child who is separated from the child because of an action taken by the Department of Family and Protective Services may request access to the child by filing:

(1) an original suit; or

(2) a suit for modification as provided by Chapter 156.

(b) The sibling of a child may request access to the child in a suit filed for the sole purpose of requesting the relief, without regard to whether the appointment of a managing conservator is an

1 issue in the suit.

2 Sec. 153.552. ACCESS TO SIBLING. The court shall order
3 reasonable access to a child by the child's sibling if the court
4 finds that access is in the best interest of the child.

5 SECTION 3. This Act takes effect September 1, 2005.

President of the Senate

Speaker of the House

I certify that H.B. No. 270 was passed by the House on May 10, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 270 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor