

By: Farrar

H.B. No. 270

A BILL TO BE ENTITLED

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.

(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 the divorce of the child's parents or 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 issue in the suit.

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

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