

By: West

S.B. No. 1178

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the availability of genetic testing in the  
3 determination of parentage by the Title IV-D agency.

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

5 SECTION 1. Section 233.028, Family Code, is amended by  
6 adding Subsection (a-1) to read as follows:

7 (a-1) The notice described in subsection (a) and sent to a  
8 man alleged to be the father of a child shall include the following  
9 statement printed on the notice in boldfaced type, in capital  
10 letters, or underlined:

11 "YOU HAVE THE RIGHT TO REQUEST GENETIC TESTING TO  
12 DETERMINE THE PARENTAGE OF A CHILD WHOSE PARENTAGE HAS NOT BEEN  
13 ESTABLISHED. THE TITLE IV-D AGENCY WILL PAY FOR THE COSTS OF THE  
14 GENETIC TESTING, BUT IF THE RESULTS OF THE TESTING IDENTIFY YOU AS  
15 THE BIOLOGICAL FATHER OF THE CHILD, YOU MAY BE REQUIRED TO REIMBURSE  
16 THE AGENCY FOR THOSE COSTS."

17 SECTION 2. Section 233.028, Family Code, is amended to read  
18 as follows:

19 (b) If all parties agree to the child's parentage, the  
20 agency may file an agreed child support review order as provided by  
21 this chapter. The agreed order shall include a statement signed by  
22 the parties entitled to genetic testing in the case that the parties  
23 have waived their rights to request genetic testing.

24 SECTION 3. The change in law made by this Act applies only

1 to an administrative proceeding under Chapter 233, Family Code, for  
2 the determination of parentage commenced on or after the effective  
3 date of the Act.

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