

By: Puente

H.B. No. 568

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the requirements for an affidavit of voluntary
3 relinquishment of parental rights.

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

5 SECTION 1. Section 161.103(b), Family Code, is amended to
6 read as follows:

7 (b) The affidavit must contain:

8 (1) the name, county of residence [~~address~~], and age
9 of the parent whose parental rights are being relinquished;

10 (2) the name, age, and birth date of the child;

11 (3) the names and addresses of the guardians of the
12 person and estate of the child, if any;

13 (4) a statement that the affiant is or is not presently
14 obligated by court order to make payments for the support of the
15 child;

16 (5) a full description and statement of value of all
17 property owned or possessed by the child;

18 (6) an allegation that termination of the parent-child
19 relationship is in the best interest of the child;

20 (7) one of the following, as applicable:

21 (A) the name and county of residence [~~address~~] of
22 the other parent;

23 (B) a statement that the parental rights of the
24 other parent have been terminated by death or court order; or

1 (C) a statement that the child has no presumed
2 father and that an affidavit of status of the child has been
3 executed as provided by this chapter;

4 (8) a statement that the parent has been informed of
5 parental rights and duties;

6 (9) a statement that the relinquishment is revocable,
7 that the relinquishment is irrevocable, or that the relinquishment
8 is irrevocable for a stated period of time;

9 (10) if the relinquishment is revocable, a statement
10 in boldfaced type concerning the right of the parent signing the
11 affidavit to revoke the relinquishment only if the revocation is
12 made before the 11th day after the date the affidavit is executed;

13 (11) if the relinquishment is revocable, the name and
14 address of a person to whom the revocation is to be delivered; and

15 (12) the designation of a prospective adoptive parent,
16 the Department of Family and Protective [~~and Regulatory~~] Services,
17 if the department has consented in writing to the designation, or a
18 licensed child-placing agency to serve as managing conservator of
19 the child and the address of the person or agency.

20 SECTION 2. The change in law made by this Act applies only
21 to an affidavit of voluntary relinquishment of parental rights
22 executed on or after the effective date of this Act. An affidavit
23 executed before the effective date of this Act is governed by the
24 law in effect on the date the affidavit was executed, and the former
25 law is continued in effect for that purpose.

26 SECTION 3. This Act takes effect September 1, 2007.