

1-1 By: Puente (Senate Sponsor - Harris) H.B. No. 568
1-2 (In the Senate - Received from the House May 1, 2007;
1-3 May 2, 2007, read first time and referred to Committee on
1-4 Jurisprudence; May 19, 2007, reported favorably by the following
1-5 vote: Yeas 4, Nays 0; May 19, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the requirements for an affidavit of voluntary
1-9 relinquishment of parental rights.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 161.103(b), Family Code, is amended to
1-12 read as follows:

1-13 (b) The affidavit must contain:

1-14 (1) the name, county of residence [~~address~~], and age
1-15 of the parent whose parental rights are being relinquished;

1-16 (2) the name, age, and birth date of the child;

1-17 (3) the names and addresses of the guardians of the
1-18 person and estate of the child, if any;

1-19 (4) a statement that the affiant is or is not presently
1-20 obligated by court order to make payments for the support of the
1-21 child;

1-22 (5) a full description and statement of value of all
1-23 property owned or possessed by the child;

1-24 (6) an allegation that termination of the parent-child
1-25 relationship is in the best interest of the child;

1-26 (7) one of the following, as applicable:

1-27 (A) the name and county of residence [~~address~~] of
1-28 the other parent;

1-29 (B) a statement that the parental rights of the
1-30 other parent have been terminated by death or court order; or

1-31 (C) a statement that the child has no presumed
1-32 father and that an affidavit of status of the child has been
1-33 executed as provided by this chapter;

1-34 (8) a statement that the parent has been informed of
1-35 parental rights and duties;

1-36 (9) a statement that the relinquishment is revocable,
1-37 that the relinquishment is irrevocable, or that the relinquishment
1-38 is irrevocable for a stated period of time;

1-39 (10) if the relinquishment is revocable, a statement
1-40 in boldfaced type concerning the right of the parent signing the
1-41 affidavit to revoke the relinquishment only if the revocation is
1-42 made before the 11th day after the date the affidavit is executed;

1-43 (11) if the relinquishment is revocable, the name and
1-44 address of a person to whom the revocation is to be delivered; and

1-45 (12) the designation of a prospective adoptive parent,
1-46 the Department of Family and Protective [~~and Regulatory~~] Services,
1-47 if the department has consented in writing to the designation, or a
1-48 licensed child-placing agency to serve as managing conservator of
1-49 the child and the address of the person or agency.

1-50 SECTION 2. The change in law made by this Act applies only
1-51 to an affidavit of voluntary relinquishment of parental rights
1-52 executed on or after the effective date of this Act. An affidavit
1-53 executed before the effective date of this Act is governed by the
1-54 law in effect on the date the affidavit was executed, and the former
1-55 law is continued in effect for that purpose.

1-56 SECTION 3. This Act takes effect September 1, 2007.

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