

By: Castro

H.B. No. 1481

Substitute the following for H.B. No. 1481:

By: Dutton

C.S.H.B. No. 1481

A BILL TO BE ENTITLED

1

AN ACT

2 relating to standing for certain individuals to file a suit  
3 affecting the parent-child relationship.

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

5 SECTION 1. Section 102.006, Family Code, is amended by  
6 amending Subsection (a) and adding Subsection (c) to read as  
7 follows:

8 (a) Except as provided by Subsections [~~Subsection~~] (b) and  
9 (c), if the parent-child relationship between the child and every  
10 living parent of the child has been terminated, an original suit may  
11 not be filed by:

12 (1) a former parent whose parent-child relationship  
13 with the child has been terminated by court order;

14 (2) the father of the child; or

15 (3) a family member or relative by blood, adoption, or  
16 marriage of either a former parent whose parent-child relationship  
17 has been terminated or of the father of the child.

18 (c) The limitations on filing suit imposed by this section  
19 do not apply to an adult sibling of the child, a grandparent of the  
20 child, an aunt who is a sister of a parent of the child, or an uncle  
21 who is a brother of a parent of the child if the adult sibling,  
22 grandparent, aunt, or uncle files an original suit or a suit for  
23 modification requesting managing conservatorship of the child not  
24 later than the 90th day after the date the parent-child

1 relationship between the child and the parent is terminated in a  
2 suit filed by the Department of Family and Protective Services  
3 requesting the termination of the parent-child relationship.

4 SECTION 2. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2007.