

AN ACT

relating to the termination of parental rights with regard to certain abandoned children.

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

SECTION 1. Sections 263.407(a) and (c), Family Code, are amended to read as follows:

(a) There is a rebuttable presumption that a parent who delivers a child to a designated emergency infant care provider in accordance with Subchapter D, Chapter 262:

(1) is the child's biological parent; ~~and~~

(2) intends to relinquish parental rights and consents to the termination of parental rights with regard to the child; and

(3) intends to waive the right to notice of the suit terminating the parent-child relationship.

(c) Before the court may render an order terminating ~~[filing a petition to terminate the]~~ parental rights with regard to a child taken into the department's custody under Section 262.303, the department must:

(1) verify with the National Crime Information Center and state and local law enforcement agencies that the child is not a missing child; and

(2) obtain a certificate of the search of the paternity registry under Subchapter E, Chapter 160, not earlier than the date the department estimates to be the 30th day after the

1 child's date of birth.

2 SECTION 2. The change in law made by this Act applies to a
3 child for whom the Department of Family and Protective Services
4 assumes responsibility under Subchapter D, Chapter 262, Family
5 Code, regardless of whether the department assumed responsibility
6 for the child before, on, or after the effective date of this Act.

7 SECTION 3. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 1747 was passed by the House on May 11, 2007, by the following vote: Yeas 137, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1747 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor