

By: Morrison

H.B. No. 1747

A BILL TO BE ENTITLED

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.