

By: Uresti

S.B. No. 804

A BILL TO BE ENTITLED

1 AN ACT

2 relating to standing for certain persons to file a suit for the
3 adoption of a child.

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

5 SECTION 1. Section 102.005, Family Code, is amended to read
6 as follows:

7 Sec. 102.005. STANDING TO REQUEST TERMINATION AND
8 ADOPTION. An original suit requesting only an adoption or for
9 termination of the parent-child relationship joined with a petition
10 for adoption may be filed by:

11 (1) a stepparent of the child;

12 (2) an adult who, as the result of a placement for
13 adoption, has had actual possession and control of the child at any
14 time during the 30-day period preceding the filing of the petition;

15 (3) an adult who has had actual possession and control
16 of the child for not less than two months during the three-month
17 period preceding the filing of the petition; ~~[or]~~

18 (4) an adult who has adopted, or is the foster parent
19 of and has petitioned to adopt, a sibling of the child; or

20 (5) another adult whom the court determines to have
21 had substantial past contact with the child sufficient to warrant
22 standing to do so.

23 SECTION 2. The change in law made by this Act applies only
24 to a suit affecting the parent-child relationship filed on or after

1 the effective date of this Act. A suit affecting the parent-child
2 relationship filed before the effective date of this Act is
3 governed by the law in effect on the date the suit was filed, and the
4 former law is continued in effect for that purpose.

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