

1-1 By: Uresti S.B. No. 804
1-2 (In the Senate - Filed February 21, 2007; March 7, 2007,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 29, 2007, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; March 29, 2007, sent to printer.)

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

1-8 relating to standing for certain persons to file a suit for the
1-9 adoption of a child.

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

1-11 SECTION 1. Section 102.005, Family Code, is amended to read
1-12 as follows:

1-13 Sec. 102.005. STANDING TO REQUEST TERMINATION AND
1-14 ADOPTION. An original suit requesting only an adoption or for
1-15 termination of the parent-child relationship joined with a petition
1-16 for adoption may be filed by:

1-17 (1) a stepparent of the child;

1-18 (2) an adult who, as the result of a placement for
1-19 adoption, has had actual possession and control of the child at any
1-20 time during the 30-day period preceding the filing of the petition;

1-21 (3) an adult who has had actual possession and control
1-22 of the child for not less than two months during the three-month
1-23 period preceding the filing of the petition; ~~or~~

1-24 (4) an adult who has adopted, or is the foster parent
1-25 of and has petitioned to adopt, a sibling of the child; or

1-26 (5) another adult whom the court determines to have
1-27 had substantial past contact with the child sufficient to warrant
1-28 standing to do so.

1-29 SECTION 2. The change in law made by this Act applies only
1-30 to a suit affecting the parent-child relationship filed on or after
1-31 the effective date of this Act. A suit affecting the parent-child
1-32 relationship filed before the effective date of this Act is
1-33 governed by the law in effect on the date the suit was filed, and the
1-34 former law is continued in effect for that purpose.

1-35 SECTION 3. This Act takes effect immediately if it receives
1-36 a vote of two-thirds of all the members elected to each house, as
1-37 provided by Section 39, Article III, Texas Constitution. If this
1-38 Act does not receive the vote necessary for immediate effect, this
1-39 Act takes effect September 1, 2007.

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