

BILL ANALYSIS

S.B. 233
By: West
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a presumed father can request paternity testing after the child's fourth birthday with two conditions. The current two conditions include that the man and woman did not have any physical/sexual relationship during the probable time of conception of the child and that the presumed father never represented that the child was his own.

S.B. 233 authorizes that a proceeding seeking to disprove the father-child relationship between a child and the child's presumed father to be maintained at any time if the court determines that the presumed father was precluded from commencing a proceeding to adjudicate the parentage of the child, because another person fraudulently led him to believe he was the father of the child

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

ANALYSIS

SECTION 1. Amends Section 160.607(b), Family Code, as follows:

(b) Authorizes a proceeding seeking to disprove the father-child relationship between a child and the child's presumed father to be maintained at any time if the court determines that the presumed father was precluded from commencing a proceeding to adjudicate the parentage of the child before the expiration of the time prescribed by Subsection (a) because another person fraudulently led him to believe he was the father of the child.
Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009.

EFFECTIVE DATE

Upon passage or September 1, 2009.