

A BILL TO BE ENTITLED

AN ACT

relating to the time limitation for certain proceedings to adjudicate paternity.

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

SECTION 1. Subsection (b), Section 160.607, Family Code, is amended to read as follows:

(b) A proceeding seeking to disprove the father-child relationship between a child and the child's presumed father may be maintained at any time if the court determines that:

(1) the presumed father and the mother of the child did not live together or engage in sexual intercourse with each other during the probable time of conception~~+~~ and

~~(2)~~ the presumed father never represented to others that the child was his own; or

(2) 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.

SECTION 2. The change in law made by this Act applies only to a proceeding to adjudicate parentage that is commenced on or after the effective date of this Act. A proceeding to adjudicate parentage commenced before that date is governed by the law in effect on the date the proceeding was commenced, and the former law

1 is continued in effect for that purpose.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2009.