

By: West

S.B. No. 233

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. Section 160.607(b), 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) due to deceit by
another person intended to preclude the presumed father from
commencing the proceeding.

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.