

By: Parker

H.B. No. 435

A BILL TO BE ENTITLED

1 AN ACT
2 relating to suits affecting the parent-child relationship that
3 involve an alleged father who has not registered with the paternity
4 registry.

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

6 SECTION 1. Section 102.008(b), Family Code, is amended to
7 read as follows:

8 (b) The petition must include:

9 (1) a statement that the court in which the petition is
10 filed has continuing, exclusive jurisdiction or that no court has
11 continuing jurisdiction of the suit;

12 (2) the name and date of birth of the child, except
13 that if adoption of a child is requested, the name of the child may
14 be omitted;

15 (3) the full name of the petitioner and the
16 petitioner's relationship to the child or the fact that no
17 relationship exists;

18 (4) the names of the parents, except in a suit in which
19 adoption is requested;

20 (5) the name of the managing conservator, if any, or
21 the child's custodian, if any, appointed by order of a court of
22 another state or country;

23 (6) the names of the guardians of the person and estate
24 of the child, if any;

1 (7) the names of possessory conservators or other
2 persons, if any, having possession of or access to the child under
3 an order of the court;

4 (8) except as provided by Sections 161.002(b)(2) and
5 (3) in a proceeding in which adoption or termination of parental
6 rights is requested, the name of an alleged father of the child or a
7 statement that the identity of the father of the child is unknown;

8 (9) a full description and statement of value of all
9 property owned or possessed by the child;

10 (10) a statement describing what action the court is
11 requested to take concerning the child and the statutory grounds on
12 which the request is made; and

13 (11) any other information required by this title.

14 SECTION 2. Section 107.013(a), Family Code, is amended to
15 read as follows:

16 (a) In a suit filed by a governmental entity in which
17 termination of the parent-child relationship is requested, the
18 court shall appoint an attorney ad litem to represent the interests
19 of:

20 (1) an indigent parent of the child who responds in
21 opposition to the termination;

22 (2) a parent served by citation by publication; and

23 (3) ~~[an alleged father who failed to register with the~~
24 ~~registry under Chapter 160 and whose identity or location is~~
25 ~~unknown; and~~

26 [~~4~~] an alleged father who registered with the
27 paternity registry under Chapter 160, but the petitioner's attempt

1 to personally serve citation at the address provided to the
2 registry and at any other address for the alleged father known by
3 the petitioner has been unsuccessful.

4 SECTION 3. Sections 102.008(b) and 107.013(a), Family Code,
5 as amended by this Act, apply to a suit affecting the parent-child
6 relationship filed on or after the effective date of this Act. A
7 suit affecting the parent-child relationship filed before the
8 effective date of this Act is governed by the law in effect on the
9 date the suit was filed, and the former law is continued in effect
10 for that purpose.

11 SECTION 4. This Act takes effect September 1, 2011.