

By: Parker

H.B. No. 835

Substitute the following for H.B. No. 835:

By: Bohac

C.S.H.B. No. 835

A BILL TO BE ENTITLED

AN ACT

relating to standing for certain individuals to file a suit affecting the parent-child relationship.

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

SECTION 1. Section 102.006(c), Family Code, is amended to read as follows:

(c) The limitations on filing suit imposed by this section do not apply to a person related to the child within the third degree by consanguinity as determined under Subchapter B, Chapter 573, Government Code, who otherwise has standing under this chapter to file suit [~~an adult sibling of the child, a grandparent of the child, an aunt who is a sister of a parent of the child, or an uncle who is a brother of a parent of the child~~] if the person:

(1) [~~adult sibling, grandparent, aunt, or uncle~~] files an original suit or a suit for modification requesting managing conservatorship or adoption of the child not later than the 30th [~~90th~~] day after the date the parent-child relationship between the child and the parent is terminated in a suit filed by the Department of Family and Protective Services requesting the termination of the parent-child relationship; and

(2) demonstrates that the person's failure to become involved in the suit filed by the Department of Family and Protective Services was not due to the person's indifference or lack of diligence.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2011.