

By: Taylor, Thompson of Harris

H.B. No. 154

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the termination of the parent-child relationship and
3 the duty to pay child support in circumstances involving mistaken
4 paternity.

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

6 SECTION 1. Sections 161.005(e) and (i), Family Code, are
7 amended to read as follows:

8 (e) A petition under Subsection (c) must be filed not later
9 than the second [~~first~~] anniversary of the date on which the
10 petitioner becomes aware of the facts alleged in the petition
11 indicating that the petitioner is not the child's genetic father.

12 (i) An order under Subsection (h) terminating the
13 parent-child relationship ends the petitioner's obligation for
14 future support of the child as of the date the order is rendered, as
15 well as the obligation to pay interest that accrues after that date
16 on the basis of a child support arrearage or money judgment for a
17 child support arrearage existing on that date. The order does not
18 affect the petitioner's obligations for support of the child
19 incurred before that date [~~or the petitioner's obligation to pay~~
20 ~~interest that accrues after that date on the basis of child support~~
21 ~~arrearsages existing on that date~~]. Those obligations are
22 enforceable until satisfied by any means available for the
23 enforcement of child support other than contempt.

24 SECTION 2. Section 161.005, Family Code, as amended by this

1 Act, applies only to a suit affecting the parent-child relationship
2 pending in a trial court on the effective date of this Act or filed
3 on or after that date. A suit affecting the parent-child
4 relationship in which a final order is rendered before the
5 effective date of this Act is governed by the law in effect on the
6 date the order was rendered, and the former law is continued in
7 effect for that purpose.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2013.