

By: Farrar

H.B. No. 1705

A BILL TO BE ENTITLED

AN ACT

Relating to the age qualification and extended jurisdiction over one seeking a suit affecting parent child relationship order in family court for purposes of obtaining special immigrant juvenile status.

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

SECTION 1. Chapter 101 of the Texas Family Code is amended to add Section 101.003(d) to read as follows:

Section 101.003. (d) In the context of one applying for special immigrant juvenile status under Section 101(a)(27)(J) of the Immigration and Nationality Act, "child" or "minor" means an unmarried alien who is present in the United States, and who is under age 21, and applying for a special immigrant juvenile visa declaration.

SECTION 2. Chapter 102 of the Family Code is amended to add Section 102.011(c) to read as follows:

Section 102.011. (c) The court has jurisdiction over a person with respect to issues relating to the person's special immigrant juvenile status if an application seeking special immigrant juvenile status as defined by Section 101(a)(27)(J) of the Immigration and Nationality Act has been filed with USCIS.

SECTION 3. Chapter 155 of the Family Code is amended to add Section 155.006 to read as follows:

Sec. 155.006. EXTENDED JURISDICTION. (a) If an application

1 seeking special immigrant status as defined by 8 U.S.C. Section
2 1101(a)(27)(J) has been filed with the appropriate federal
3 authority on behalf of a child over whom the court has continuing,
4 exclusive jurisdiction, the court may extend the court 's
5 jurisdiction over the child after the child 's 18th birthday until
6 the earliest of:

7 (1) the child 's 21st birthday;

8 (2) the date the child is granted lawful permanent
9 resident status;

10 (3) the date an appeal of the denial of an application
11 for permanent residency based on a petition for special immigrant
12 status is denied; or

13 (4) if an appeal described by Subdivision (3) is not
14 filed, the day after the last day to file an appeal of the denial of
15 an application for permanent residency based on a petition for
16 special immigrant status.

17 (b) The court 's jurisdiction under this section is limited to
18 issues relating to the child 's special immigrant status.

19 SECTION 4. Chapter 42 of the Human Resources Code is amended
20 to add Section 42.021(e)-(f) to read as follows:

21 Section 702.259. (e) The department will develop rules to
22 ensure that all cases categorized as Undetermined Immigration
23 Status in the Central Registry are assigned to caseworkers who have
24 experience preparing special immigrant juvenile status petitions
25 and legal permanent status petitions.

26 (f) Additionally, the department will develop rules to
27 direct caseworkers to stop seeking fee waivers for filing fees

1 associated with completing and filing legal permanent status
2 applications

3 SECTION 5. This Act takes effect September 1, 2013.