

By: Rodriguez of Bexar

H.B. No. 2773

A BILL TO BE ENTITLED

AN ACT

relating to intervention by foster parents in certain suits affecting the parent-child relationship.

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

SECTION 1. Section 102.004, Family Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) An original suit requesting possessory conservatorship may not be filed by a grandparent or other person. However, the court, subject to Subsection (b-1), may grant a grandparent or other person deemed by the court to have had substantial past contact with the child leave to intervene in a pending suit filed by a person authorized to do so under this chapter [~~subchapter~~] if there is satisfactory proof to the court that appointment of a parent as a sole managing conservator or both parents as joint managing conservators would significantly impair the child's physical health or emotional development.

(b-1) A court may not grant a foster parent of a child placed in the foster parent's home by the Department of Family and Protective Services leave to intervene in a pending suit involving the child, as authorized by Subsection (b), unless the child has been in the foster parent's home for at least 12 months.

SECTION 2. The changes in law made by this Act to Section 102.004, Family Code, apply only to a motion to intervene pending on

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1 or filed on or after the effective date of this Act.

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