

By: Hernandez Luna

H.B. No. 2845

A BILL TO BE ENTITLED

AN ACT

relating to the persons entitled to intervene in certain suits affecting the parent-child relationship.

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

SECTION 1. Section 102.005, Family Code, is amended to read as follows:

Sec. 102.005. STANDING TO REQUEST TERMINATION AND ADOPTION.

(a) An original suit requesting only an adoption or for termination of the parent-child relationship joined with a petition for adoption may be filed by:

(1) a stepparent of the child;

(2) an adult who, as the result of a placement for adoption, has had actual possession and control of the child at any time during the 30-day period preceding the filing of the petition;

(3) an adult who has had actual possession and control of the child for not less than two months during the three-month period preceding the filing of the petition;

(4) an adult who has adopted, or is the foster parent of and has petitioned to adopt, a sibling of the child; or

(5) another adult whom the court determines to have had substantial past contact with the child sufficient to warrant standing to do so.

(b) The court shall grant a person who has standing to file an original suit with respect to a child under Subsection (a)(2)

1 leave to intervene in a suit filed by an authorized agency if the  
2 person's motion to intervene includes a petition for adoption of  
3 the child.

4           SECTION 2. Section 102.005, Family Code, as amended by this  
5 Act, applies to a suit affecting the parent-child relationship that  
6 is pending in a trial court on the effective date of this Act or  
7 filed on or after that date.

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