

By: Nelson

S.B. No. 429

A BILL TO BE ENTITLED

AN ACT

relating to the dismissal or nonsuit of a suit to terminate the parent-child relationship filed by a governmental entity.

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

SECTION 1. Section 161.203, Family Code, is amended to read as follows:

Sec. 161.203. DISMISSAL OF PETITION. (a) A suit to terminate may not be dismissed nor may a nonsuit be taken unless the dismissal or nonsuit is approved by the court. The dismissal or nonsuit approved by the court is without prejudice.

(b) Before approving a dismissal or nonsuit of a suit filed by a governmental entity to terminate the parent-child relationship, the court must consider:

(1) whether any child support, visitation, or other orders affecting the child continue in effect after the dismissal;
and

(2) whether the dismissal is in the best interest of each child affected by the suit.

(c) The court shall ensure that a final order dismissing a suit filed by a governmental entity to terminate the parent-child relationship includes appropriate orders for continued child support, visitation, or other orders the court determines are necessary and in the best interest of the child.

SECTION 2. Subsections (b) and (c), Section 161.203, Family

1 Code, as added by this Act, apply only to a motion for the dismissal
2 or nonsuit of a suit to terminate the parent-child relationship
3 that is made on or after the effective date of this Act.

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