

By: Nelson
(Raymond)

S.B. No. 429

Substitute the following for S.B. No. 429:

By: Raymond

C.S.S.B. No. 429

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the dismissal or nonsuit of a suit to terminate the
3 parent-child relationship filed by the Department of Family and
4 Protective Services.

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

6 SECTION 1. The heading to Chapter 263, Family Code, is
7 amended to read as follows:

8 CHAPTER 263. REVIEW OF PLACEMENT OF CHILDREN UNDER CARE OF
9 DEPARTMENT OF FAMILY AND PROTECTIVE [~~AND REGULATORY~~] SERVICES

10 SECTION 2. Subchapter E, Chapter 263, Family Code, is
11 amended by adding Section 263.408 to read as follows:

12 Sec. 263.408. REQUIREMENTS BEFORE DISMISSAL OR NONSUIT.

13 (a) Before approving a dismissal or nonsuit of a suit to terminate
14 the parent-child relationship filed by the department, the court
15 shall consider:

16 (1) whether the dismissal or nonsuit is in the best
17 interest of each child affected by the suit; and

18 (2) whether any orders for the conservatorship,
19 possession of or access to, or support of each child affected by the
20 suit continue in effect after the dismissal or nonsuit.

21 (b) Before approving a dismissal or nonsuit of a suit to
22 terminate the parent-child relationship filed by the department,
23 the court may render an order for the conservatorship, possession
24 of or access to, or support of each child affected by the suit that

1 will continue in effect after the dismissal or nonsuit of the suit
2 to terminate the parent-child relationship.

3 SECTION 3. Section 263.408, Family Code, as added by this
4 Act, applies only to a motion for the dismissal or nonsuit of a suit
5 to terminate the parent-child relationship that is made on or after
6 the effective date of this Act.

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