

1-1 By: Nelson S.B. No. 429
1-2 (In the Senate - Filed February 7, 2013; February 13, 2013,
1-3 read first time and referred to Committee on Health and Human
1-4 Services; February 26, 2013, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; February 26, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Nelson	X		
1-9	Deuell	X		
1-10	Huffman	X		
1-11	Nichols	X		
1-12	Schwertner	X		
1-13	Taylor	X		
1-14	Uresti	X		
1-15	West	X		
1-16	Zaffirini	X		

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the dismissal or nonsuit of a suit to terminate the
1-20 parent-child relationship filed by a governmental entity.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 161.203, Family Code, is amended to read
1-23 as follows:

1-24 Sec. 161.203. DISMISSAL OF PETITION. (a) A suit to
1-25 terminate may not be dismissed nor may a nonsuit be taken unless the
1-26 dismissal or nonsuit is approved by the court. The dismissal or
1-27 nonsuit approved by the court is without prejudice.

1-28 (b) Before approving a dismissal or nonsuit of a suit filed
1-29 by a governmental entity to terminate the parent-child
1-30 relationship, the court must consider:

1-31 (1) whether any child support, visitation, or other
1-32 orders affecting the child continue in effect after the dismissal;
1-33 and

1-34 (2) whether the dismissal is in the best interest of
1-35 each child affected by the suit.

1-36 (c) The court shall ensure that a final order dismissing a
1-37 suit filed by a governmental entity to terminate the parent-child
1-38 relationship includes appropriate orders for continued child
1-39 support, visitation, or other orders the court determines are
1-40 necessary and in the best interest of the child.

1-41 SECTION 2. Subsections (b) and (c), Section 161.203, Family
1-42 Code, as added by this Act, apply only to a motion for the dismissal
1-43 or nonsuit of a suit to terminate the parent-child relationship
1-44 that is made on or after the effective date of this Act.

1-45 SECTION 3. This Act takes effect September 1, 2013.

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