

By: Ortega, Wu, Frank

H.B. No. 1410

Substitute the following for H.B. No. 1410:

By: Dutton

C.S.H.B. No. 1410

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the ability of foster parents to intervene in certain
3 suits affecting the parent-child relationship.

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

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

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

19 (b-1) A foster parent may only be granted leave to intervene
20 under Subsection (b) if the foster parent would have standing to
21 file an original suit as provided by Section 102.003(a)(12).

22 SECTION 2. The changes in law made by this Act apply only to
23 an original suit affecting the parent-child relationship filed on
24 or after the effective date of this Act. An original suit affecting

1 the parent-child relationship filed before the effective date of
2 this Act is subject to the law in effect at the time the suit was
3 filed, and the former law is continued in effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2017.