

By: Thompson of Harris

H.B. No. 555

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain rights of the sole managing conservator of a
3 child in relation to the child's passport.

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

5 SECTION 1. Section 153.132, Family Code, is amended to read
6 as follows:

7 Sec. 153.132. RIGHTS AND DUTIES OF PARENT APPOINTED SOLE
8 MANAGING CONSERVATOR. Unless limited by court order, a parent
9 appointed as sole managing conservator of a child has the rights and
10 duties provided by Subchapter B and the following exclusive rights:

11 (1) the right to designate the primary residence of
12 the child;

13 (2) the right to consent to medical, dental, and
14 surgical treatment involving invasive procedures;

15 (3) the right to consent to psychiatric and
16 psychological treatment;

17 (4) the right to receive and give receipt for periodic
18 payments for the support of the child and to hold or disburse these
19 funds for the benefit of the child;

20 (5) the right to represent the child in legal action
21 and to make other decisions of substantial legal significance
22 concerning the child;

23 (6) the right to consent to marriage and to enlistment
24 in the armed forces of the United States;

1 (7) the right to make decisions concerning the child's
2 education;

3 (8) the right to the services and earnings of the
4 child; ~~and~~

5 (9) except when a guardian of the child's estate or a
6 guardian or attorney ad litem has been appointed for the child, the
7 right to act as an agent of the child in relation to the child's
8 estate if the child's action is required by a state, the United
9 States, or a foreign government; and

10 (10) the right to:

11 (A) apply for a passport for the child;

12 (B) renew the child's passport; and

13 (C) maintain possession of the child's passport.

14 SECTION 2. Section 153.371, Family Code, is amended to read
15 as follows:

16 Sec. 153.371. RIGHTS AND DUTIES OF NONPARENT APPOINTED AS
17 SOLE MANAGING CONSERVATOR. Unless limited by court order or other
18 provisions of this chapter, a nonparent, a licensed child-placing
19 agency, or the Department of Family and Protective Services
20 appointed as a managing conservator of the child has the following
21 rights and duties:

22 (1) the right to have physical possession and to
23 direct the moral and religious training of the child;

24 (2) the duty of care, control, protection, and
25 reasonable discipline of the child;

26 (3) the duty to provide the child with clothing, food,
27 shelter, education, and medical, psychological, and dental care;

1 (4) the right to consent for the child to medical,
2 psychiatric, psychological, dental, and surgical treatment and to
3 have access to the child's medical records;

4 (5) the right to receive and give receipt for payments
5 for the support of the child and to hold or disburse funds for the
6 benefit of the child;

7 (6) the right to the services and earnings of the
8 child;

9 (7) the right to consent to marriage and to enlistment
10 in the armed forces of the United States;

11 (8) the right to represent the child in legal action
12 and to make other decisions of substantial legal significance
13 concerning the child;

14 (9) except when a guardian of the child's estate or a
15 guardian or attorney ad litem has been appointed for the child, the
16 right to act as an agent of the child in relation to the child's
17 estate if the child's action is required by a state, the United
18 States, or a foreign government;

19 (10) the right to designate the primary residence of
20 the child and to make decisions regarding the child's education;
21 ~~and~~

22 (11) if the parent-child relationship has been
23 terminated with respect to the parents, or only living parent, or if
24 there is no living parent, the right to consent to the adoption of
25 the child and to make any other decision concerning the child that a
26 parent could make; and

27 (12) the right to:

- 1 (A) apply for a passport for the child;
- 2 (B) renew the child's passport; and
- 3 (C) maintain possession of the child's passport.

4 SECTION 3. The changes in law made by this Act apply only to
5 a suit affecting the parent-child relationship that is pending in a
6 trial court on or filed on or after the effective date of this Act.

7 SECTION 4. This Act takes effect September 1, 2019.