

## **BILL ANALYSIS**

Senate Research Center  
80R14092 MCK-D

H.B. 1481  
By: Castro (Uresti)  
Jurisprudence  
5/16/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, when the parent-child relationship has been terminated involuntarily in a suit filed by the Department of Family and Protective Services (DFPS), the parent's family members are prohibited from filing suit for managing conservatorship of the child. Often times, the family members are not aware of the pending suit or a final order terminating the parent-child relationship.

H.B. 1481 allows certain family members of a child to file suit requesting managing conservatorship of the child when the parent-child relationship between the child and every living parent of the child is terminated in a suit filed by DFPS.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 102.006, Family Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Includes Subsection (c), in addition to Subsection (b), as an exception to this subsection, prohibiting an original suit from being filed by certain persons.

(c) Provides that the limitations on filing suit imposed by this section do not apply to an adult sibling of the child, a grandparent of the child, an aunt who is a sister of a parent of the child, or an uncle who is a brother of a parent of the child if the adult sibling, grandparent, aunt, or uncle files an original suit or a suit for modification requesting managing conservatorship of the child not later than the 90th day after the date the parent-child relationship between the child and the parent is terminated in a suit filed by the Department of Family and Protective Services requesting the termination of the parent-child relationship.

SECTION 2. Effective date: upon passage or September 1, 2007.