

BILL ANALYSIS

Senate Research Center
81R473 JMM-F

S.B. 233
By: West
Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a presumed father can request paternity testing after the child's fourth birthday with two conditions. The current two conditions include that the man and woman did not have any physical/sexual relationship during the probable time of conception of the child and that the presumed father never represented that the child was his own.

As proposed, S.B. 233 provides that a proceeding seeking to disprove the father-child relationship between a child and the child's presumed father may be maintained at any time if the court determines that the presumed father was precluded from commencing a proceeding to adjudicate the parentage of the child due to deceit by another person.

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 160.607(b), Family Code, as follows:

(b) Authorizes a proceeding seeking to disprove the father-child relationship between a child and the child's presumed father to be maintained at any time if the court determines that the presumed father was precluded from commencing a proceeding to adjudicate the parentage of the child before the expiration of the time prescribed by Subsection (a) due to deceit by another person intended to preclude the presumed father from commencing the proceeding. Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009