

BILL ANALYSIS

Senate Research Center
78R6441 KLA-F

S.B. 1807
By: Harris
Jurisprudence
4/14/2003
As Filed

DIGEST AND PURPOSE

In 2002, the National Conference of Commissioners on Uniform State Laws authorized certain changes to the Uniform Parentage Act to address concerns regarding the treatment of a child of unmarried parents equally with a child of married parents. As proposed, S.B. 1807 adds new provisions to current Texas law relating to the presumption of paternity.

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 160.204, Family Code, as follows:

Sec. 160.204. New heading: PRESUMPTION OF PATERNITY. Adds a new subdivision to provide that a man is presumed to be the father of a child if during the first two years of the child's life, he continuously resided in the household in which the child resided and he represented to others that the child was his own.

SECTION 2. Amends Section 160.301, Family Code, to authorize the mother of a child and a man claiming to be the biological father of the child, rather than the father of the child conceived as the result of sexual intercourse with the mother, to sign an acknowledgment of paternity with the intent to establish the man's paternity.

SECTION 3. Amends Section 160.602, Family Code, as follows:

- (a) Creates this subsection from existing text. Makes a conforming change.
- (b) Provides that a proceeding to adjudicate the parentage of an adult child, after the date a child having no presumed, acknowledged, or adjudicated father becomes an adult, may only be maintained by the adult child.

SECTION 4. Amends Section 160.607(b), Family Code, to make a conforming change.

SECTION 5. Amends Section 160.608, Family Code, by amending Subsection (a) and adding Subsection (f), as follows:

- (a) Deletes reference in existing text.
- (f) Provides that this section applies to a proceeding to rescind or challenge an acknowledgment of paternity or denial of paternity as provided by Section 160.309(d).

SECTION 6. Makes application of this Act prospective.

SECTION 7. Effective date: September 1, 2003.