

BILL ANALYSIS

Senate Research Center

S.B. 1178
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Jurisprudence
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AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under Section 233.028, Family Code (Special Child Support Review Procedures Relating to Establishment of Parentage), if the parentage of a child has not been established, the notice of child support review delivered to the parties must include an allegation that the recipient is a biological parent of the child. The notice is required to inform the parties that, not later than the 15th day after the date of delivery of the notice, the alleged parent of the child shall either sign a statement of paternity or deny in writing that the alleged parent is the biological parent of the child and either party may request that scientifically accepted parentage testing be conducted to assist in determining the identities of the child's parents.

S.B. 1178 adds a new subsection requiring that the notice sent to a man alleged to be the father of a child include a clear and bold statement regarding the availability of genetic testing in order to establish paternity. If paternity is established, the notice informs the man that he may have to pay for the costs of that test.

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 233.028, Family Code, by adding Subsection (a-1), to require the notice described in Subsection (a) to include a specific statement, printed on the notice in boldfaced type, capital letters, or underlined, regarding the right to genetic testing to determine parentage of a child whose parentage has not been established.

SECTION 2. Amends Section 233.028, Family Code, to require an agreed order filed under this section to include a statement signed by the parties entitled to genetic testing in the case that the parties have waived their rights to request genetic testing.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2005.