

## **BILL ANALYSIS**

Senate Research Center  
81R18717 JMM-F

C.S.S.B. 233  
By: West  
Jurisprudence  
4/2/2009  
Committee Report (Substituted)

### **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.

C.S.S.B. 233 authorizes that 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, because another person fraudulently led him to believe he was the father of the child

### **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) because another person fraudulently led him to believe he was the father of the child.  
Makes nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

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