

1-1 By: Dutton, et al. (Senate Sponsor - Kolkhorst) H.B. No. 116  
 1-2 (In the Senate - Received from the House April 28, 2025;  
 1-3 April 29, 2025, read first time and referred to Committee on Health  
 1-4 & Human Services; May 12, 2025, reported favorably by the following  
 1-5 vote: Yeas 8, Nays 0; May 12, 2025, sent to printer.)

1-6 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7  |     |     |        |     |
| 1-8  | X   |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 |     |     | X      |     |
| 1-15 | X   |     |        |     |
| 1-16 | X   |     |        |     |

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to grounds for the involuntary termination of the  
 1-20 parent-child relationship.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 154.001(a-1), Family Code, is amended to  
 1-23 read as follows:

1-24 (a-1) The court may order each person who is financially  
 1-25 able and whose parental rights have been terminated with respect to  
 1-26 a child in substitute care for whom the department has been  
 1-27 appointed managing conservator, a child for a reason described by  
 1-28 Section 161.001(b)(1)(S)(iv) or (b)(1)(T) [~~161.001(b)(1)(T)(iv) or~~  
 1-29 ~~(b)(1)(U)~~], or a child who was conceived as a direct result of  
 1-30 conduct that constitutes an offense under Section 21.02, 22.011,  
 1-31 22.021, or 25.02, Penal Code, to support the child in the manner  
 1-32 specified by the order:

1-33 (1) until the earliest of:

1-34 (A) the child's adoption;

1-35 (B) the child's 18th birthday or graduation from  
 1-36 high school, whichever occurs later;

1-37 (C) removal of the child's disabilities of  
 1-38 minority by court order, marriage, or other operation of law; or

1-39 (D) the child's death; or

1-40 (2) if the child is disabled as defined in this  
 1-41 chapter, for an indefinite period.

1-42 SECTION 2. Section 161.001(b), Family Code, is amended to  
 1-43 read as follows:

1-44 (b) The court may order termination of the parent-child  
 1-45 relationship if the court finds by clear and convincing evidence:

1-46 (1) that the parent has:

1-47 (A) voluntarily left the child alone or in the  
 1-48 possession of another not the parent and expressed an intent not to  
 1-49 return;

1-50 (B) voluntarily left the child alone or in the  
 1-51 possession of another not the parent without expressing an intent  
 1-52 to return, without providing for the adequate support of the child,  
 1-53 and remained away for a period of at least three months;

1-54 (C) voluntarily left the child alone or in the  
 1-55 possession of another without providing adequate support of the  
 1-56 child and remained away for a period of at least six months;

1-57 (D) knowingly placed or knowingly allowed the  
 1-58 child to remain in conditions or surroundings which endanger the  
 1-59 physical or emotional well-being of the child;

1-60 (E) engaged in conduct or knowingly placed the  
 1-61 child with persons who engaged in conduct which endangers the

2-1 physical or emotional well-being of the child;

2-2 (F) failed to support the child in accordance

2-3 with the parent's ability during a period of one year ending within

2-4 six months of the date of the filing of the petition;

2-5 (G) abandoned the child without identifying the

2-6 child or furnishing means of identification, and the child's

2-7 identity cannot be ascertained by the exercise of reasonable

2-8 diligence;

2-9 (H) voluntarily, and with knowledge of the

2-10 pregnancy, abandoned the mother of the child beginning at a time

2-11 during her pregnancy with the child and continuing through the

2-12 birth, failed to provide adequate support or medical care for the

2-13 mother during the period of abandonment before the birth of the

2-14 child, and remained apart from the child or failed to support the

2-15 child since the birth;

2-16 (I) contumaciously refused to submit to a

2-17 reasonable and lawful order of a court under Subchapter D, Chapter

2-18 261;

2-19 (J) been the major cause of:

2-20 (i) the failure of the child to be enrolled

2-21 in school as required by the Education Code; or

2-22 (ii) the child's absence from the child's

2-23 home without the consent of the parents or guardian for a

2-24 substantial length of time or without the intent to return;

2-25 (K) executed before or after the suit is filed an

2-26 unrevoked or irrevocable affidavit of relinquishment of parental

2-27 rights as provided by this chapter;

2-28 (L) been convicted or has been placed on

2-29 community supervision, including deferred adjudication community

2-30 supervision, for being criminally responsible for the death or

2-31 serious injury of a child under the following sections of the Penal

2-32 Code, or under a law of another jurisdiction that contains elements

2-33 that are substantially similar to the elements of an offense under

2-34 one of the following Penal Code sections, or adjudicated under

2-35 Title 3 for conduct that caused the death or serious injury of a

2-36 child and that would constitute a violation of one of the following

2-37 Penal Code sections:

2-38 (i) Section 19.02 (murder);

2-39 (ii) Section 19.03 (capital murder);

2-40 (iii) Section 19.04 (manslaughter);

2-41 (iv) Section 21.11 (indecent with a

2-42 child);

2-43 (v) Section 22.01 (assault);

2-44 (vi) Section 22.011 (sexual assault);

2-45 (vii) Section 22.02 (aggravated assault);

2-46 (viii) Section 22.021 (aggravated sexual

2-47 assault);

2-48 (ix) Section 22.04 (injury to a child,

2-49 elderly individual, or disabled individual);

2-50 (x) Section 22.041 (abandoning or

2-51 endangering a child, elderly individual, or disabled individual);

2-52 (xi) Section 25.02 (prohibited sexual

2-53 conduct);

2-54 (xii) Section 43.25 (sexual performance by

2-55 a child);

2-56 (xiii) Section 43.26 (possession or

2-57 promotion of child pornography);

2-58 (xiv) Section 21.02 (continuous sexual

2-59 abuse of young child or disabled individual);

2-60 (xv) Section 20A.02(a)(7) or (8)

2-61 (trafficking of persons); and

2-62 (xvi) Section 43.05(a)(2) (compelling

2-63 prostitution);

2-64 (M) had his or her parent-child relationship

2-65 terminated with respect to another child based on a finding that the

2-66 parent's conduct was in violation of Paragraph (D) or (E) or

2-67 substantially equivalent provisions of the law of another state;

2-68 (N) constructively abandoned the child who has

2-69 been in the permanent or temporary managing conservatorship of the

3-1 Department of Family and Protective Services for not less than six  
3-2 months, and:

3-3 (i) the department has made reasonable  
3-4 efforts to return the child to the parent;

3-5 (ii) the parent has not regularly visited  
3-6 or maintained significant contact with the child; and

3-7 (iii) the parent has demonstrated an  
3-8 inability to provide the child with a safe environment;

3-9 (O) ~~[failed to comply with the provisions of a~~  
3-10 ~~court order that specifically established the actions necessary for~~  
3-11 ~~the parent to obtain the return of the child who has been in the~~  
3-12 ~~permanent or temporary managing conservatorship of the Department~~  
3-13 ~~of Family and Protective Services for not less than nine months as a~~  
3-14 ~~result of the child's removal from the parent under Chapter 262 for~~  
3-15 ~~the abuse or neglect of the child;~~

3-16 ~~[(P)]~~ used a controlled substance, as defined by  
3-17 Chapter 481, Health and Safety Code, in a manner that endangered the  
3-18 health or safety of the child, and:

3-19 (i) failed to complete a court-ordered  
3-20 substance abuse treatment program; or

3-21 (ii) after completion of a court-ordered  
3-22 substance abuse treatment program, continued to abuse a controlled  
3-23 substance;

3-24 (P) ~~[(Q)]~~ knowingly engaged in criminal conduct  
3-25 that has resulted in the parent's:

3-26 (i) conviction of an offense; and

3-27 (ii) confinement or imprisonment and  
3-28 inability to care for the child for not less than two years from the  
3-29 date of filing the petition;

3-30 (Q) ~~[(R)]~~ been the cause of the child being born  
3-31 addicted to alcohol or a controlled substance, other than a  
3-32 controlled substance legally obtained by prescription;

3-33 (R) ~~[(S)]~~ voluntarily delivered the child to a  
3-34 designated emergency infant care provider under Section 262.302  
3-35 without expressing an intent to return for the child;

3-36 (S) ~~[(T)]~~ been convicted of:

3-37 (i) the murder of the other parent of the  
3-38 child under Section 19.02 or 19.03, Penal Code, or under a law of  
3-39 another state, federal law, the law of a foreign country, or the  
3-40 Uniform Code of Military Justice that contains elements that are  
3-41 substantially similar to the elements of an offense under Section  
3-42 19.02 or 19.03, Penal Code;

3-43 (ii) criminal attempt under Section 15.01,  
3-44 Penal Code, or under a law of another state, federal law, the law of  
3-45 a foreign country, or the Uniform Code of Military Justice that  
3-46 contains elements that are substantially similar to the elements of  
3-47 an offense under Section 15.01, Penal Code, to commit the offense  
3-48 described by Subparagraph (i);

3-49 (iii) criminal solicitation under Section  
3-50 15.03, Penal Code, or under a law of another state, federal law, the  
3-51 law of a foreign country, or the Uniform Code of Military Justice  
3-52 that contains elements that are substantially similar to the  
3-53 elements of an offense under Section 15.03, Penal Code, of the  
3-54 offense described by Subparagraph (i); or

3-55 (iv) the sexual assault of the other parent  
3-56 of the child under Section 22.011 or 22.021, Penal Code, or under a  
3-57 law of another state, federal law, or the Uniform Code of Military  
3-58 Justice that contains elements that are substantially similar to  
3-59 the elements of an offense under Section 22.011 or 22.021, Penal  
3-60 Code;

3-61 (T) ~~[(U)]~~ been placed on community supervision,  
3-62 including deferred adjudication community supervision, or another  
3-63 functionally equivalent form of community supervision or  
3-64 probation, for being criminally responsible for the sexual assault  
3-65 of the other parent of the child under Section 22.011 or 22.021,  
3-66 Penal Code, or under a law of another state, federal law, or the  
3-67 Uniform Code of Military Justice that contains elements that are  
3-68 substantially similar to the elements of an offense under Section  
3-69 22.011 or 22.021, Penal Code; or

4-1 (U) [~~(V)~~] been convicted of:

4-2 (i) criminal solicitation of a minor under  
4-3 Section 15.031, Penal Code, or under a law of another state, federal  
4-4 law, the law of a foreign country, or the Uniform Code of Military  
4-5 Justice that contains elements that are substantially similar to  
4-6 the elements of an offense under Section 15.031, Penal Code; or

4-7 (ii) online solicitation of a minor under  
4-8 Section 33.021, Penal Code, or under a law of another state, federal  
4-9 law, the law of a foreign country, or the Uniform Code of Military  
4-10 Justice that contains elements that are substantially similar to  
4-11 the elements of an offense under Section 33.021, Penal Code; and

4-12 (2) that termination is in the best interest of the  
4-13 child.

4-14 SECTION 3. The change in law made by this Act applies to a  
4-15 suit affecting the parent-child relationship that is pending in a  
4-16 trial court on the effective date of this Act or that is filed on or  
4-17 after the effective date of this Act.

4-18 SECTION 4. This Act takes effect September 1, 2025.

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