

1-1 By: Dutton, et al. (Senate Sponsor - Zaffirini) H.B. No. 2495
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
1-4 Jurisprudence; May 19, 2025, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 19, 2025, sent to printer.)

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|------|---------------------|-----|-----|--------|-----|
| 1-7 | COMMITTEE VOTE | | | | |
| 1-8 | | Yea | Nay | Absent | PNV |
| 1-9 | Hughes | X | | | |
| 1-10 | Johnson | X | | | |
| 1-11 | Creighton | X | | | |
| 1-12 | Hinojosa of Hidalgo | X | | | |
| 1-13 | Middleton | X | | | |

1-14 COMMITTEE SUBSTITUTE FOR H.B. No. 2495 By: Johnson

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to certain rights of a child or a parent or the sole
1-18 managing conservator of a child in relation to the child's
1-19 enrollment in school.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 26.002, Education Code, is amended to
1-22 read as follows:

1-23 Sec. 26.002. DEFINITION. In this chapter, "parent"
1-24 includes a person standing in parental relation. The term does not
1-25 include a person as to whom the parent-child relationship has been
1-26 terminated or a person not entitled to possession of or access to a
1-27 child under a court order. Except as provided by federal law, all
1-28 rights of a parent under Title 2 of this code and all educational
1-29 rights under Sections [Section] 151.001(a)(10) and (11), Family
1-30 Code, shall be exercised by a student who is 18 years of age or older
1-31 or whose disabilities of minority have been removed for general
1-32 purposes under Chapter 31, Family Code, unless the student has been
1-33 determined to be incompetent or the student's rights have been
1-34 otherwise restricted by a court order.

1-35 SECTION 2. Section 31.006, Family Code, is amended to read
1-36 as follows:

1-37 Sec. 31.006. EFFECT OF GENERAL REMOVAL. Except for
1-38 specific constitutional and statutory age requirements, a minor
1-39 whose disabilities are removed for general purposes has the
1-40 capacity of an adult, including the capacity to contract. Except as
1-41 provided by federal law, all educational rights accorded to the
1-42 parent of a student, including the right to make education
1-43 decisions under Sections [Section] 151.001(a)(10) and (11),
1-44 transfer to the minor whose disabilities are removed for general
1-45 purposes.

1-46 SECTION 3. Section 151.001(a), Family Code, is amended to
1-47 read as follows:

1-48 (a) A parent of a child has the following rights and duties:

1-49 (1) the right to have physical possession, to direct
1-50 the moral and religious training, and to designate the residence of
1-51 the child;

1-52 (2) the duty of care, control, protection, and
1-53 reasonable discipline of the child;

1-54 (3) the duty to support the child, including providing
1-55 the child with clothing, food, shelter, medical and dental care,
1-56 and education;

1-57 (4) the duty, except when a guardian of the child's
1-58 estate has been appointed, to manage the estate of the child,
1-59 including the right as an agent of the child to act in relation to
1-60 the child's estate if the child's action is required by a state, the

United States, or a foreign government;

(5) except as provided by Section 264.0111, the right to the services and earnings of the child;

(6) the right to consent to the child's marriage, enlistment in the armed forces of the United States, medical and dental care, and psychiatric, psychological, and surgical treatment;

(7) the right to represent the child in legal action and to make other decisions of substantial legal significance concerning the child;

(8) the right to receive and give receipt for payments for the support of the child and to hold or disburse funds for the benefit of the child;

(9) the right to inherit from and through the child;

(10) the right to make decisions concerning the child's education; ~~and~~

(11) the right to designate the school the child will attend and to enroll the child in the school, subject to any eligibility or admissions requirements; and

(12) any other right or duty existing between a parent and child by virtue of law.

SECTION 4. Section 153.132, Family Code, is amended to read as follows:

Sec. 153.132. RIGHTS AND DUTIES OF PARENT APPOINTED SOLE MANAGING CONSERVATOR. Unless limited by court order, a parent appointed as sole managing conservator of a child has the rights and duties provided by Subchapter B and the following exclusive rights:

(1) the right to designate the primary residence of the child;

(2) the right to consent to medical, dental, and surgical treatment involving invasive procedures;

(3) the right to consent to psychiatric and psychological treatment;

(4) the right to receive and give receipt for periodic payments for the support of the child and to hold or disburse these funds for the benefit of the child;

(5) the right to represent the child in legal action and to make other decisions of substantial legal significance concerning the child;

(6) the right to consent to marriage and to enlistment in the armed forces of the United States;

(7) the right to make decisions concerning the child's education;

(8) the right to designate the school the child will attend and to enroll the child in the school, subject to any eligibility or admissions requirements;

(9) the right to the services and earnings of the child;

(10) ~~(9)~~ except when a guardian of the child's estate or a guardian or attorney ad litem has been appointed for the child, the right to act as an agent of the child in relation to the child's estate if the child's action is required by a state, the United States, or a foreign government; and

(11) ~~(10)~~ the right to:

(A) apply for a passport for the child;

(B) renew the child's passport; and

(C) maintain possession of the child's passport.

SECTION 5. Section 153.371, Family Code, is amended to read as follows:

Sec. 153.371. RIGHTS AND DUTIES OF NONPARENT APPOINTED AS SOLE MANAGING CONSERVATOR. Unless limited by court order or other provisions of this chapter, a nonparent, a licensed child-placing agency, or the Department of Family and Protective Services appointed as a managing conservator of the child has the following rights and duties:

(1) the right to have physical possession and to direct the moral and religious training of the child;

(2) the duty of care, control, protection, and reasonable discipline of the child;

(3) the duty to provide the child with clothing, food, shelter, education, and medical, psychological, and dental care;

(4) the right to consent for the child to medical, psychiatric, psychological, dental, and surgical treatment and to have access to the child's medical records;

(5) the right to receive and give receipt for payments for the support of the child and to hold or disburse funds for the benefit of the child;

(6) the right to the services and earnings of the child;

(7) the right to consent to marriage and to enlistment in the armed forces of the United States;

(8) the right to represent the child in legal action and to make other decisions of substantial legal significance concerning the child;

(9) except when a guardian of the child's estate or a guardian or attorney ad litem has been appointed for the child, the right to act as an agent of the child in relation to the child's estate if the child's action is required by a state, the United States, or a foreign government;

(10) the right to designate the primary residence of the child and to make decisions regarding the child's education;

(11) the right to designate the school the child will attend and to enroll the child in the school, subject to any eligibility or admissions requirements;

(12) if the parent-child relationship has been terminated with respect to the parents, or only living parent, or if there is no living parent, the right to consent to the adoption of the child and to make any other decision concerning the child that a parent could make; and

(13) ~~[(12)]~~ the right to:

(A) apply for a passport for the child;

(B) renew the child's passport; and

(C) maintain possession of the child's passport.

SECTION 6. The changes in law made by this Act to Sections 153.132 and 153.371, Family Code, apply only to a suit affecting the parent-child relationship that is pending in a trial court on or filed on or after the effective date of this Act.

SECTION 7. This Act takes effect September 1, 2025.

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