

AN ACT

relating to the admission by a party of a material and substantial change of circumstances in a motion to modify an order in certain family law cases.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 8.057, Family Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) A party who files a motion to modify maintenance based on a material and substantial change of circumstances may not be considered on that basis alone to have admitted a material and substantial change of circumstances regarding any other matter.

SECTION 2. Subchapter A, Chapter 156, Family Code, is amended by adding Section 156.007 to read as follows:

Sec. 156.007. CERTAIN FILINGS NOT ADMISSIONS. A party who files a motion to modify an order that provides for the appointment of a conservator of a child, provides the terms and conditions of conservatorship, provides for the possession of or access to a child, or provides for the support of a child based on a material and substantial change of circumstances may not be considered on that basis alone to have admitted a material and substantial change of circumstances regarding any other matter.

SECTION 3. The changes in law made by this Act apply only to a motion to modify that is filed on or after the effective date of this Act. A motion to modify filed before that date is governed by

1 the law in effect on the date the motion was filed, and that law is  
2 continued in effect for that purpose.

3 SECTION 4. This Act takes effect September 1, 2021.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 851 was passed by the House on April 21, 2021, by the following vote: Yeas 144, Nays 5, 1 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 851 was passed by the Senate on May 19, 2021, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor