

By: Ramos

H.B. No. 3005

A BILL TO BE ENTITLED

AN ACT

relating to annulment of a marriage on the grounds of concealed divorce.

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

SECTION 1. Section 6.109, Family Code, is amended to read as follows:

Sec. 6.109. CONCEALED DIVORCE. (a) The court may grant an annulment of a marriage to a party to the marriage if:

(1) the other party was divorced from a third party within the 30-day period preceding the date of the marriage ceremony;

(2) at the time of the marriage ceremony the petitioner did not know, and a reasonably prudent person would not have known, of the divorce; and

(3) ~~since~~ the petitioner ceased cohabitation with the other party not more than one year after the petitioner discovered or a reasonably prudent person would have discovered the fact of the divorce and ~~[, the petitioner]~~ has not voluntarily cohabited with the other party since ceasing cohabitation.

(b) A suit may not be brought under this section after the first anniversary of the date the petitioner discovered or a reasonably prudent person would have discovered the fact of the divorce ~~[marriage]~~.

SECTION 2. The change in law made by this Act applies only

1 to a suit for dissolution of a marriage that is filed on or after the
2 effective date of this Act. A suit for dissolution of a marriage
3 filed before the effective date of this Act is governed by the law
4 in effect on the date the suit was filed, and the former law is
5 continued in effect for that purpose.

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