

By: Bernal

H.B. No. 701

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of an attorney ad litem or an amicus attorney in certain cases of divorce.

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

SECTION 1. Section 153, Family Code, is amended by adding Section 153.259 to read as follows:

Section 153.259. MANDATORY APPOINTMENT OF ATTORNEY AD LITEM OR AMICUS ATTORNEY IN CASES OF DIVORCE. The court shall, for a child under 12 years of age and in divorce cases which the possession of a child by a parent is contested and the possession of the child varies from the standard possession order, appoint an attorney ad litem or amicus attorney for the purpose of assisting the court in determining the best interest of the child.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.