

AN ACT

relating to the conservatorship of, and the possession of and access to, a child.

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

SECTION 1. Sections 105.001(a) and (c), Family Code, are amended to read as follows:

(a) In a suit, the court may make a temporary order, including the modification of a prior temporary order, for the safety and welfare of the child, including an order:

(1) for the temporary conservatorship of the child;

(2) for the temporary support of the child;

(3) restraining a party from [~~molesting or~~] disturbing the peace of the child or another party;

(4) prohibiting a person from removing the child beyond a geographical area identified by the court; or

(5) for payment of reasonable attorney's fees and expenses.

(c) Except on a verified pleading or an affidavit in accordance with the Texas Rules of Civil Procedure, an order may not be rendered:

(1) attaching the body of the child;

(2) taking the child into the possession of the court or of a person [~~parent~~] designated by the court; or

(3) excluding a parent from possession of or access to

1 a child.

2 SECTION 2. Section 105.002(c), Family Code, is amended to
3 read as follows:

4 (c) In a jury trial:

5 (1) a party is entitled to a verdict by the jury and
6 the court may not contravene a jury verdict on the issues of:

7 (A) the appointment of a sole managing
8 conservator;

9 (B) the appointment of joint managing
10 conservators;

11 (C) the appointment of a possessory conservator;
12 [~~and~~]

13 (D) the determination of which joint managing
14 conservator has the exclusive right to designate the primary
15 residence of the child;

16 (E) the determination of whether to impose a
17 restriction on the geographic area in which a joint managing
18 conservator may designate the child's primary residence; and

19 (F) if a restriction described by Paragraph (E)
20 is imposed, the determination of the geographic area within which
21 the joint managing conservator must designate the child's primary
22 residence; and

23 (2) the court may not submit [~~a party is not entitled~~]
24 to the [~~a~~] jury questions [~~verdict~~] on the issues of:

25 (A) [~~child~~] support under Chapter 154 or Chapter
26 159;

27 (B) a specific term or condition of possession of

1 or access to the child; or

2 (C) any right or duty of a [~~possessory or~~
3 ~~managing~~] conservator, other than the determination of which joint
4 managing conservator has the exclusive right to designate the
5 [~~issue of~~] primary residence of the child [~~determined~~] under
6 Subdivision (1)(D) [~~and~~

7 [~~(3) the court may submit to the jury an issue~~
8 ~~described by Subdivision (2)~~].

9 SECTION 3. Section 151.001(a), Family Code, is amended to
10 read as follows:

11 (a) A parent of a child has the following rights and duties:

12 (1) the right to have physical possession, to direct
13 the moral and religious training, and to designate [~~establish~~] the
14 residence of the child;

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

17 (3) the duty to support the child, including providing
18 the child with clothing, food, shelter, medical and dental care,
19 and education;

20 (4) the duty, except when a guardian of the child's
21 estate has been appointed, to manage the estate of the child,
22 including the right as an agent of the child to act in relation to
23 the child's estate if the child's action is required by a state, the
24 United States, or a foreign government;

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

27 (6) the right to consent to the child's marriage,

1 enlistment in the armed forces of the United States, medical and
2 dental care, and psychiatric, psychological, and surgical
3 treatment;

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

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

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

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

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

15 SECTION 4. Section 152.209(a), Family Code, is amended to
16 read as follows:

17 (a) Except as provided by Subsection (e) or unless each
18 party resides in this state, in a child custody proceeding, each
19 party, in its first pleading or in an attached affidavit, shall give
20 information, if reasonably ascertainable, under oath as to the
21 child's present address or whereabouts, the places where the child
22 has lived during the last five years, and the names and present
23 addresses of the persons with whom the child has lived during that
24 period. The pleading or affidavit must state whether the party:

25 (1) has participated, as a party or witness or in any
26 other capacity, in any other proceeding concerning the custody of
27 or visitation with the child and, if so, identify the court, the

1 case number, and the date of the child custody determination, if
2 any;

3 (2) knows of any proceeding that could affect the
4 current proceeding, including proceedings for enforcement and
5 proceedings relating to domestic violence, protective orders,
6 termination of parental rights, and adoptions and, if so, identify
7 the court, the case number, and the nature of the proceeding; and

8 (3) knows the names and addresses of any person not a
9 party to the proceeding who has physical custody of the child or
10 claims rights of legal custody or physical custody of, or
11 visitation with, the child and, if so, the names and addresses of
12 those persons.

13 SECTION 5. Section 153.008, Family Code, is amended to read
14 as follows:

15 Sec. 153.008. CHILD'S PREFERENCE [~~CHOICE~~] OF PERSON TO
16 DESIGNATE RESIDENCE [~~MANAGING CONSERVATOR~~]. A [~~If the~~] child [~~is~~]
17 12 years of age or older may file [~~, the child may, by writing filed~~]
18 with the court in writing [~~, choose~~] the name of the person who is
19 the child's preference to have the exclusive right to designate the
20 primary residence of the child [~~managing conservator~~], subject to
21 the approval of the court.

22 SECTION 6. Section 153.073(a), Family Code, is amended to
23 read as follows:

24 (a) Unless limited by court order, a parent appointed as a
25 conservator of a child has at all times the right:

26 (1) [~~as specified by court order:~~
27 [~~(A)~~] to receive information from any [~~the~~] other

1 conservator of the child [~~parent~~] concerning the health, education,
2 and welfare of the child; [~~and~~]

3 (2) [~~(B)~~] to confer with the other parent to the
4 extent possible before making a decision concerning the health,
5 education, and welfare of the child;

6 (3) [~~(2)~~] of access to medical, dental,
7 psychological, and educational records of the child;

8 (4) [~~(3)~~] to consult with a physician, dentist, or
9 psychologist of the child;

10 (5) [~~(4)~~] to consult with school officials concerning
11 the child's welfare and educational status, including school
12 activities;

13 (6) [~~(5)~~] to attend school activities;

14 (7) [~~(6)~~] to be designated on the child's records as a
15 person to be notified in case of an emergency;

16 (8) [~~(7)~~] to consent to medical, dental, and surgical
17 treatment during an emergency involving an immediate danger to the
18 health and safety of the child; and

19 (9) [~~(8)~~] to manage the estate of the child to the
20 extent the estate has been created by the parent or the parent's
21 family.

22 SECTION 7. Section 153.074, Family Code, is amended to read
23 as follows:

24 Sec. 153.074. RIGHTS AND DUTIES DURING PERIOD OF
25 POSSESSION. Unless limited by court order, a parent appointed as a
26 conservator of a child has the following rights and duties during
27 the period that the parent has possession of the child:

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

3 (2) the duty to support the child, including providing
4 the child with clothing, food, shelter, and medical and dental care
5 not involving an invasive procedure;

6 (3) the right to consent for the child to medical and
7 dental care not involving an invasive procedure; and

8 ~~(4) [the right to consent for the child to medical,~~
9 ~~dental, and surgical treatment during an emergency involving~~
10 ~~immediate danger to the health and safety of the child; and~~

11 ~~[(5)]~~ the right to direct the moral and religious
12 training of the child.

13 SECTION 8. Section 153.076, Family Code, is amended to read
14 as follows:

15 Sec. 153.076. ~~[PARENTS']~~ DUTY TO PROVIDE INFORMATION. (a)
16 The ~~[If both parents are appointed as conservators of the child,~~
17 ~~the]~~ court shall order that each conservator of a child ~~[parent]~~
18 has a duty to inform the other conservator of the child ~~[parent]~~ in
19 a timely manner of significant information concerning the health,
20 education, and welfare of the child.

21 (b) The ~~[If both parents are appointed as conservators of a~~
22 ~~child, the]~~ court shall order that each conservator of a child
23 ~~[parent]~~ has the duty to inform the other conservator of the child
24 ~~[parent]~~ if the conservator ~~[parent]~~ resides with for at least 30
25 days, marries, or intends to marry a person who the conservator
26 ~~[parent]~~ knows:

27 (1) is registered as a sex offender under Chapter 62,

1 Code of Criminal Procedure [~~, as added by Chapter 668, Acts of the~~
2 ~~75th Legislature, Regular Session, 1997~~]; or

3 (2) is currently charged with an offense for which on
4 conviction the person would be required to register under that
5 chapter.

6 (c) The notice required to be made under Subsection (b) must
7 be made as soon as practicable but not later than the 40th day after
8 the date the conservator of the child [~~parent~~] begins to reside with
9 the person or the 10th day after the date the marriage occurs, as
10 appropriate. The notice must include a description of the offense
11 that is the basis of the person's requirement to register as a sex
12 offender or of the offense with which the person is charged.

13 (d) A conservator [~~person~~] commits an offense if the
14 conservator [~~person~~] fails to provide notice in the manner required
15 by Subsections (b) and (c). An offense under this subsection is a
16 Class C misdemeanor.

17 SECTION 9. Section 153.132, Family Code, is amended to read
18 as follows:

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

23 (1) the right to designate [~~establish~~] the primary
24 residence of the child;

25 (2) the right to consent to medical, dental, and
26 surgical treatment involving invasive procedures, and to consent to
27 psychiatric and psychological treatment;

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

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

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

9 (6) the right to make decisions concerning the child's
10 education;

11 (7) the right to the services and earnings of the
12 child; and

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

18 SECTION 10. Section 153.133(a), Family Code, is amended to
19 read as follows:

20 (a) If a written agreement of the parents is filed with the
21 court, the court shall render an order appointing the parents as
22 joint managing conservators only if the agreement:

23 (1) designates the conservator who has the exclusive
24 right to designate [~~establish~~] the primary residence of the child
25 and:

26 (A) establishes, until modified by further
27 order, the geographic area within which the conservator shall

1 maintain the child's primary residence; or

2 (B) specifies that the conservator may designate
3 [~~establish~~] the child's primary residence without regard to
4 geographic location;

5 (2) specifies the rights and duties of each parent
6 regarding the child's physical care, support, and education;

7 (3) includes provisions to minimize disruption of the
8 child's education, daily routine, and association with friends;

9 (4) allocates between the parents, independently,
10 jointly, or exclusively, all of the remaining rights and duties of a
11 parent provided by Chapter 151;

12 (5) is voluntarily and knowingly made by each parent
13 and has not been repudiated by either parent at the time the order
14 is rendered; and

15 (6) is in the best interest of the child.

16 SECTION 11. Section 153.134(b), Family Code, is amended to
17 read as follows:

18 (b) In rendering an order appointing joint managing
19 conservators, the court shall:

20 (1) designate the conservator who has the exclusive
21 right to determine the primary residence of the child and:

22 (A) establish, until modified by further order, a
23 geographic area [~~consisting of the county in which the child is to~~
24 ~~reside and any contiguous county thereto~~] within which the
25 conservator shall maintain the child's primary residence; or

26 (B) specify that the conservator may determine
27 the child's primary residence without regard to geographic

1 location;

2 (2) specify the rights and duties of each parent
3 regarding the child's physical care, support, and education;

4 (3) include provisions to minimize disruption of the
5 child's education, daily routine, and association with friends;

6 (4) allocate between the parents, independently,
7 jointly, or exclusively, all of the remaining rights and duties of a
8 parent as provided by Chapter 151; and

9 (5) if feasible, recommend that the parties use an
10 alternative dispute resolution method before requesting
11 enforcement or modification of the terms and conditions of the
12 joint conservatorship through litigation, except in an emergency.

13 SECTION 12. Section 153.137, Family Code, is amended to
14 read as follows:

15 Sec. 153.137. GUIDELINES FOR THE POSSESSION OF CHILD BY
16 PARENT NAMED AS JOINT MANAGING CONSERVATOR. The standard
17 possession order provided by Subchapter F constitutes a presumptive
18 minimum amount of time for possession of a child by a parent named
19 as a joint managing conservator who is not awarded the exclusive
20 right to designate the primary [physical] residence of the child in
21 a suit.

22 SECTION 13. Section 153.312(a), Family Code, is amended to
23 read as follows:

24 (a) If the possessory conservator resides 100 miles or less
25 from the primary residence of the child, the possessory conservator
26 shall have the right to possession of the child as follows:

27 (1) on weekends beginning at 6 p.m. on the first,

1 third, and fifth Friday of each month and ending at 6 p.m. on the
2 following Sunday or, at the possessory conservator's election made
3 before or at the time of the rendition of the original or
4 modification order, and as specified in the original or
5 modification order, beginning at the time the child's school is
6 regularly dismissed and ending at 6 p.m. on the following Sunday;
7 and

8 (2) on Thursdays [~~Wednesdays~~] of each week during the
9 regular school term beginning at 6 p.m. and ending at 8 p.m., or, at
10 the possessory conservator's election made before or at the time of
11 the rendition of the original or modification order, and as
12 specified in the original or modification order, beginning at the
13 time the child's school is regularly dismissed and ending at the
14 time the child's school resumes, unless the court finds that
15 visitation under this subdivision is not in the best interest of the
16 child.

17 SECTION 14. Section 153.314, Family Code, is amended to
18 read as follows:

19 Sec. 153.314. HOLIDAY POSSESSION UNAFFECTED BY DISTANCE
20 PARENTS RESIDE APART. The following provisions govern possession
21 of the child for certain specific holidays and supersede
22 conflicting weekend or Thursday [~~Wednesday~~] periods of possession
23 without regard to the distance the parents reside apart. The
24 possessory conservator and the managing conservator shall have
25 rights of possession of the child as follows:

26 (1) the possessory conservator shall have possession
27 of the child in even-numbered years beginning at 6 p.m. on the day

1 the child is dismissed from school for the Christmas school
2 vacation and ending at noon on December 26, and the managing
3 conservator shall have possession for the same period in
4 odd-numbered years;

5 (2) the possessory conservator shall have possession
6 of the child in odd-numbered years beginning at noon on December 26
7 and ending at 6 p.m. on the day before school resumes after that
8 vacation, and the managing conservator shall have possession for
9 the same period in even-numbered years;

10 (3) the possessory conservator shall have possession
11 of the child in odd-numbered years, beginning at 6 p.m. on the day
12 the child is dismissed from school before Thanksgiving and ending
13 at 6 p.m. on the following Sunday, and the managing conservator
14 shall have possession for the same period in even-numbered years;

15 (4) the parent not otherwise entitled under this
16 standard order to present possession of a child on the child's
17 birthday shall have possession of the child beginning at 6 p.m. and
18 ending at 8 p.m. on that day, provided that the parent picks up the
19 child from the residence of the conservator entitled to possession
20 and returns the child to that same place;

21 (5) if a conservator, the father shall have possession
22 of the child beginning at 6 p.m. on the Friday preceding Father's
23 Day and ending on Father's Day at 6 p.m., provided that, if he is not
24 otherwise entitled under this standard order to present possession
25 of the child, he picks up the child from the residence of the
26 conservator entitled to possession and returns the child to that
27 same place; and

1 (6) if a conservator, the mother shall have possession
2 of the child beginning at 6 p.m. on the Friday preceding Mother's
3 Day and ending on Mother's Day at 6 p.m., provided that, if she is
4 not otherwise entitled under this standard order to present
5 possession of the child, she picks up the child from the residence
6 of the conservator entitled to possession and returns the child to
7 that same place.

8 SECTION 15. Section 153.317, Family Code, is amended to
9 read as follows:

10 Sec. 153.317. ALTERNATIVE POSSESSION TIMES. If a child is
11 enrolled in school and the possessory conservator elects before or
12 at the time of the rendition of the original or modification order,
13 the standard order must expressly provide that the possessory
14 conservator's period of possession shall begin or end, or both, at a
15 different time expressly set in the standard order under and within
16 the range of alternative times provided by one or both of the
17 following subdivisions:

18 (1) instead of a period of possession by a possessory
19 conservator beginning at 6 p.m. on the day school recesses, the
20 period of possession may be set in the standard possession order to
21 begin at the time the child's school is regularly dismissed or at
22 any time between the time the child's school is regularly dismissed
23 and 6 p.m.; and

24 (2) except for Thursday [~~Wednesday~~] evening
25 possession, instead of a period of possession by a possessory
26 conservator ending at 6 p.m. on the day before school resumes, the
27 period of possession may be set in the standard order to end at the

1 time school resumes.

2 SECTION 16. Section 153.371, Family Code, is amended to
3 read as follows:

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

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

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

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

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

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

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

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

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

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

6 (10) the right to designate [~~establish~~] the primary
7 residence of the child and to make decisions regarding the child's
8 education; and

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

14 SECTION 17. Section 155.301(a), Family Code, is amended to
15 read as follows:

16 (a) A court of this state with continuing, exclusive
17 jurisdiction over a child custody proceeding under Chapter 152 or a
18 [~~suit or an action for~~] child support proceeding under Chapter 159
19 shall transfer the proceeding to the county of residence of the
20 resident party if one party is a resident of this state and all
21 other parties including the child or all of the children affected by
22 the proceeding [~~proceedings~~] reside outside this state.

23 SECTION 18. Section 156.006(b), Family Code, is amended to
24 read as follows:

25 (b) While a suit for modification is pending, the court may
26 not render a temporary order that has the effect of changing the
27 designation of the person who has the exclusive right to designate

1 ~~[determine]~~ the primary residence of the child under the final
2 order unless:

3 (1) the order is necessary because the child's present
4 living environment may endanger the child's physical health or
5 significantly impair the child's emotional development;

6 (2) the person designated in the final order has
7 voluntarily relinquished the primary care and possession of the
8 child for more than six months and the temporary order is in the
9 best interest of the child; or

10 (3) the child is 12 years of age or older and has filed
11 with the court in writing the name of the person who is the child's
12 preference to have the exclusive right to designate ~~[determine]~~ the
13 primary residence of the child and the temporary order designating
14 that person is in the best interest of the child.

15 SECTION 19. Section 156.101, Family Code, is amended to
16 read as follows:

17 Sec. 156.101. GROUNDS FOR MODIFICATION OF ORDER
18 ESTABLISHING CONSERVATORSHIP OR POSSESSION AND ACCESS. The court
19 may modify an order ~~[or portion of a decree]~~ that provides for the
20 appointment of a conservator of a child, that provides the terms and
21 conditions of conservatorship, or that provides for the possession
22 of or access to a child if modification would be in the best
23 interest of the child and:

24 (1) the circumstances of the child, a conservator, or
25 other party affected by the order have materially and substantially
26 changed since the earlier of:

27 (A) the date of the rendition of the order; or

1 (B) the date of the signing of a mediated or
2 collaborative law settlement agreement on which the order is based;

3 (2) the child is at least 12 years of age and has filed
4 with the court, in writing, the name of the person [~~conservator~~] who
5 is the child's preference to have the exclusive right to designate
6 [~~determine~~] the primary residence of the child; or

7 (3) the conservator who has the exclusive right to
8 designate [~~establish~~] the primary residence of the child has
9 voluntarily relinquished the primary care and possession of the
10 child to another person for at least six months.

11 SECTION 20. Sections 156.102(a) and (b), Family Code, are
12 amended to read as follows:

13 (a) If a suit seeking to modify the designation of the
14 person having the exclusive right to designate [~~determine~~] the
15 primary residence of a child is filed not later than one year after
16 the earlier of the date of the rendition of the order or the date of
17 the signing of a mediated or collaborative law settlement agreement
18 on which the order is based, the person filing the suit shall
19 execute and attach an affidavit as provided by Subsection (b).

20 (b) The affidavit must contain, along with supporting
21 facts, at least one of the following allegations:

22 (1) that the child's present environment may endanger
23 the child's physical health or significantly impair the child's
24 emotional development;

25 (2) that the person who has the exclusive right to
26 designate [~~determine~~] the primary residence of the child is the
27 person seeking or consenting to the modification and the

1 modification is in the best interest of the child; or

2 (3) that the person who has the exclusive right to
3 designate [~~determine~~] the primary residence of the child has
4 voluntarily relinquished the primary care and possession of the
5 child for at least six months and the modification is in the best
6 interest of the child.

7 SECTION 21. Section 156.401(a), Family Code, is amended to
8 read as follows:

9 (a) Except as provided by Subsection (b), the court may
10 modify an order that provides for the support of a child if:

11 (1) the circumstances of the child or a person
12 affected by the order have materially and substantially changed
13 since the earlier of:

14 (A) the date of the order's rendition; or

15 (B) the date of the signing of a mediated or
16 collaborative law settlement agreement on which the order is based;
17 or

18 (2) it has been three years since the order was
19 rendered or last modified and the monthly amount of the child
20 support award under the order differs by either 20 percent or \$100
21 from the amount that would be awarded in accordance with the child
22 support guidelines.

23 SECTION 22. Sections 105.002(d) and 153.136, Family Code,
24 are repealed.

25 SECTION 23. (a) This Act takes effect September 1, 2003.

26 (b) The changes in law made by this Act to Sections
27 105.001(a) and (c), Family Code, apply only to an order rendered in

1 a suit affecting the parent-child relationship on or after the
2 effective date of this Act. An order rendered in a suit affecting
3 the parent-child relationship before the effective date of this Act
4 is governed by the law in effect on the date the order was rendered,
5 and the former law is continued in effect for that purpose.

6 (c) The changes in law made by this Act to Sections
7 105.002(c) and 153.008, Family Code, apply only to a suit affecting
8 the parent-child relationship filed on or after the effective date
9 of this Act. A suit affecting the parent-child relationship filed
10 before the effective date of this Act is governed by the law in
11 effect on the date that the suit was filed, and the former law is
12 continued in effect for that purpose.

13 (d) The changes in law made by this Act to Sections
14 152.209(a) and 155.301(a), Family Code, apply only to a child
15 custody proceeding under Chapter 152, Family Code, filed on or
16 after the effective date of this Act. A child custody proceeding
17 under Chapter 152, Family Code, filed before the effective date of
18 this Act is governed by the law in effect on the date that the
19 proceeding was filed, and the former law is continued in effect for
20 that purpose.

21 (e) The changes in law made by this Act to Sections 153.076,
22 153.312(a), 153.314, and 153.317, Family Code, apply only to a
23 court order providing for possession of or access to a child
24 rendered on or after that date. A court order rendered before the
25 effective date of this Act is governed by the law in effect on the
26 date the order was rendered, and the former law is continued in
27 effect for that purpose.

1 (f) The change in law made by this Act to Section
2 153.134(b), Family Code, applies only to a court order appointing
3 joint managing conservators rendered on or after the effective date
4 of this Act. A court order appointing joint managing conservators
5 rendered before the effective date of this Act is governed by the
6 law in effect on the date the order was rendered, and the former law
7 is continued in effect for that purpose.

8 (g) The changes in law made by this Act to Sections 156.101,
9 156.102(a) and (b), and 156.401(a), Family Code, apply only to an
10 action to modify an order in a suit affecting the parent-child
11 relationship pending on the effective date of this Act or filed on
12 or after that date.

President of the Senate

Speaker of the House

I certify that H.B. No. 913 was passed by the House on April 24, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 913 was passed by the Senate on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor