

By: Phillips

H.B. No. 1690

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the time in which a final order must be rendered in
3 certain suits affecting the parent-child relationship.

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

5 SECTION 1. Section 263.401, Family Code, is amended by
6 amending Subsection (c) and adding Subsection (c-1) to read as
7 follows:

8 (c) If the court grants an extension but does not render a
9 final order or dismiss the suit on or before the required date for
10 dismissal under Subsection (b), the court for good cause may grant a
11 second extension and retain the suit on the court's docket for a
12 period not to exceed the 180th day after the required date for
13 dismissal under Subsection (b)(1). If the court retains the suit on
14 the court's docket, the court shall render an order in which the
15 court:

16 (1) schedules the new date for dismissal of the suit
17 not later than the 180th day after the time described by Subsection
18 (b)(1);

19 (2) makes further temporary orders for the safety and
20 welfare of the child as necessary to avoid further delay in
21 resolving the suit; and

22 (3) sets a final hearing on a date that allows the
23 court to render a final order before the required date for dismissal
24 of the suit under this subsection.

1 (c-1) If the court grants a second extension but does not
2 render a final order or dismiss the suit on or before the required
3 date for dismissal under Subsection (c)(1), the court shall dismiss
4 the suit. The court may not grant an additional extension that
5 extends the suit beyond the required date for dismissal under
6 Subsection (c)(1)~~[(b)]~~.

7 SECTION 2. This Act takes effect September 1, 2003, and
8 applies to a suit affecting the parent-child relationship filed by
9 the Department of Protective and Regulatory Services that is
10 pending in a trial court on or filed on or after that date.