

By: Dutton, et al.

H.B. No. 2099

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the determination of the conservatorship of, and the  
3 right of possession of or access to, a child by a person who has a  
4 history of family violence.

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

6 SECTION 1. Section 153.004, Family Code, is amended by  
7 adding Subsection (f) to read as follows:

8 (f) In determining under this section whether there is  
9 credible evidence of a history or pattern of past or present child  
10 neglect or physical or sexual abuse by a parent directed against the  
11 other parent, a spouse, or a child, the court shall consider whether  
12 a protective order was rendered under Chapter 85, Title 4, against  
13 the parent during the two-year period preceding the filing of the  
14 suit or during the pendency of the suit.

15 SECTION 2. This Act takes effect September 1, 2003, and  
16 applies only to an order in a suit affecting the parent-child  
17 relationship rendered on or after that date, without regard to  
18 whether the suit was filed before, on, or after that date.

19 SECTION 3. The enactment of this Act does not by itself  
20 constitute a material and substantial change of circumstances  
21 sufficient to warrant modification of a court order or portion of a  
22 decree that provides for the possession of or access to a child  
23 rendered before the effective date of this Act.