

AN ACT

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

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

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

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

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

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

H.B. No. 2099

President of the Senate

Speaker of the House

I certify that H.B. No. 2099 was passed by the House on April 25, 2003, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2099 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor