

By: Dutton

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 Title 4 against the parent
13 during the two-year period preceding the filing of the suit or
14 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.