BILL ANALYSIS

BACKGROUND AND PURPOSE

Title 1 of the Texas Family Code was originally enacted by Chapter 888, Acts of the 61st Legislature, Regular Session, 1969; subsequently, Titles 2 and 3 were added by the 63rd Legislature in 1973, Title 4 was added by the 66th Legislature in 1979, and Title 5 was added by the 74th Legislature in 1995. The codification of the Family Code and the amendments thereto by successive legislatures have done much to advance the interests of Texas families and children. The 1973 enactments provided for suits affecting the parent-child relationship and introduced the terms "managing conservator," "possessory conservator," "possession," and "access" as they relate to the family. The legislature has declared it to be a public policy of this state, in cases of marital dissolution, to encourage parents to have frequent contact with their children, as appropriate for the circumstances. During the past 32 years, significant research in family dynamics has led to an emergence of new terms that are more commonly used to describe the relationship between parents in a dissolution of marriage, including "parenting plans" and "parenting time" and other neutral terms; similarly, advances in the field have rendered obsolete such terms as "managing conservator" and "possessory conservator."

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The 79th Legislature of the State of Texas hereby request that the Texas Legislative Council schedule a revision of the Family Code during the 2005-2006 interim; and, that the secretary of state forward an official copy of this resolution to the joint chairs of the Texas Legislative Council.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.C.R.153 amends the original H.C.R.153 by including in the language that updated terminology as described in the resolution be used in the revision.