

By: Hartnett

H.B. No. 1965

Substitute the following for H.B. No. 1965:

By: Swinford

C.S.H.B. No. 1965

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the grounds for a divorce and the division of property
3 in a decree of divorce.

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

5 SECTION 1. Section 6.001, Family Code, is amended to read as
6 follows:

7 Sec. 6.001. INSUPPORTABILITY. On the petition of either
8 spouse of [~~party to~~] a marriage, the court may grant a divorce
9 without regard to fault if the marriage has become insupportable
10 because of discord or conflict of personalities that destroys the
11 legitimate ends of the marital relationship and prevents any
12 reasonable expectation of reconciliation.

13 SECTION 2. Section 7.001, Family Code, is amended to read as
14 follows:

15 Sec. 7.001. GENERAL RULE OF PROPERTY DIVISION. (a) In a
16 decree of divorce or annulment, the court shall order a division of
17 the estate of the spouses [~~parties~~] in a manner that the court deems
18 just and right, having due regard for the rights of each spouse
19 [~~party~~] and any children of the marriage.

20 (b) In a decree of divorce granted on a ground described by
21 Section 6.002, 6.003, 6.004, or 6.005, the court shall order a
22 disproportionate division of the estate of the spouses in favor of
23 the spouse in whose favor the divorce was granted.

24 SECTION 3. The changes in law made by this Act apply to a

1 decree of divorce rendered in a suit for dissolution of a marriage
2 that is pending on the effective date of this Act or filed on or
3 after that date.

4 SECTION 4. This Act takes effect September 1, 2005.