

1-1 By: Staples S.B. No. 1654
1-2 (In the Senate - Filed March 11, 2005; March 30, 2005, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 22, 2005, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; April 22, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to notice of hearing on a motion for enforcement regarding
1-9 child support and child custody.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 157.062, Family Code, is amended to read
1-12 as follows:

1-13 Sec. 157.062. NOTICE OF HEARING. (a) The notice of
1-14 hearing must include the date, time, and place of the hearing.

1-15 (b) The notice of hearing need not repeat the allegations
1-16 contained in the motion for enforcement.

1-17 (c) Notice of hearing on a motion for enforcement of an
1-18 existing order providing for child support or possession of or
1-19 access to a child shall be given to the respondent by personal
1-20 service of a copy of the motion and notice not later than the 10th
1-21 business day before the date of the hearing.

1-22 (d) If a motion for enforcement is joined with another
1-23 claim:

1-24 (1) the hearing may not be held before 10 a.m. on the
1-25 first Monday after the 20th day after the date of service; and

1-26 (2) the provisions of the Texas Rules of Civil
1-27 Procedure applicable to the filing of an original lawsuit apply.

1-28 SECTION 2. This Act takes effect immediately if it receives
1-29 a vote of two-thirds of all the members elected to each house, as
1-30 provided by Section 39, Article III, Texas Constitution. If this
1-31 Act does not receive the vote necessary for immediate effect, this
1-32 Act takes effect September 1, 2005.

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