

Amend HB 1481 (Senate committee printing) by adding the following appropriately number SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Sections 263.401(a), (b), and (c), Family Code, are amended to read as follows:

(a) Unless the court has commenced the trial on the merits [~~rendered a final order~~] or granted an extension under Subsection (b), on the first Monday after the first anniversary of the date the court rendered a temporary order appointing the department as temporary managing conservator, the court shall dismiss the suit affecting the parent-child relationship filed by the department that requests termination of the parent-child relationship or requests that the department be named conservator of the child.

(b) Unless the court has commenced the trial on the merits, the [~~The~~] court may not retain the suit on the court's docket after the time described by Subsection (a) unless the court finds that extraordinary circumstances necessitate the child remaining in the temporary managing conservatorship of the department and that continuing the appointment of the department as temporary managing conservator is in the best interest of the child. If the court makes those findings, the court may retain the suit on the court's docket for a period not to exceed 180 days after the time described by Subsection (a). If the court retains the suit on the court's docket, the court shall render an order in which the court:

(1) schedules the new date on which the suit will be dismissed if the trial on the merits has not commenced, which date must be [~~for dismissal of the suit~~] not later than the 180th day after the time described by Subsection (a);

(2) makes further temporary orders for the safety and welfare of the child as necessary to avoid further delay in resolving the suit; and

(3) sets the trial on the merits [~~a final hearing~~] on a date not later than the date specified under Subdivision (1) [~~that allows the court to render a final order before the required date for dismissal of the suit under this subsection~~].

(c) If the court grants an extension but does not commence the trial on the merits [~~render a final order or dismiss the suit on~~]

~~or~~] before the required date for dismissal under Subsection (b), the court shall dismiss the suit. The court may not grant an additional extension that extends the suit beyond the required date for dismissal under Subsection (b).

SECTION \_\_\_\_\_. Section 263.402(b), Family Code, is amended to read as follows:

(b) A party to a suit under this chapter who fails to make a timely motion to dismiss the suit [~~or to make a motion requesting the court to render a final order before the deadline for dismissal~~] under this subchapter waives the right to object to the court's failure to dismiss the suit. A motion to dismiss under this subsection is timely if the motion is made before the [~~department has introduced all of the department's evidence, other than rebuttal evidence, at the~~] trial on the merits commences.

SECTION \_\_\_\_\_. Sections 263.403(b) and (c), Family Code, are amended to read as follows:

(b) If the court renders an order under this section, the court shall:

(1) include in the order specific findings regarding the grounds for the order; and

(2) schedule a new date, not later than the 180th day after the date the temporary order is rendered, for dismissal of the suit unless a trial on the merits has commenced.

(c) If a child placed with a parent under this section must be moved from that home by the department before the dismissal of the suit or the commencement of the trial on the merits [~~rendering of a final order~~], the court shall, at the time of the move, schedule a new date for dismissal of the suit unless a trial on the merits has commenced. The new dismissal date may not be later than the original dismissal date established under Section 263.401 or the 180th day after the date the child is moved under this subsection, whichever date is later.

SECTION \_\_\_\_\_. Section 263.401(d), Family Code, is repealed.

SECTION \_\_\_\_\_. The changes in law made by this Act apply only to a suit affecting the parent-child relationship filed on or after the effective date of this Act. A suit affecting the parent-child relationship filed before the effective date of this Act is

governed by the law in effect at the time the suit was filed, and the former law is continued in effect for that purpose.