

BILL ANALYSIS

S.B.956
By: West, Royce
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law provides certain remedies that a judge may order if the judge finds that there is a risk of international child abduction and sets forth certain factors that a judge is required to consider when evaluating whether the risk of international abduction exists. However, a judge considering international child abduction risk factors is not authorized to take into consideration issues of family violence or the activities that a victim of family violence has taken in trying to implement a safety plan to escape future abuse.

As proposed, S.B.956 amends the Family Code to require a judge to additionally consider whether certain activities indicating an abduction risk are related to a threat of family violence.

RULEMAKING AUTHORITY

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

ANALYSIS

SECTION 1. Amends Section 153.502(a), Family Code, as follows:

- (a) Includes evidence that a parent's conduct, while acting in good faith, was necessary to avoid imminent harm to the parent or the child, and evidence that the parent recently engaged in certain activities related to the implementation of a safety plan for the child to flee from family violence, as evidence that the court is required to consider in determining whether there is a risk of a child's international abduction by the child's parent.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

EFFECTIVE DATE

September 1, 2007.