

BILL ANALYSIS

S.B. 1783
By: Janek
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, an individual who is seeking a divorce and is a victim of domestic violence is required to wait 60 days before the divorce is granted, even when the spouse is convicted of an offense in which assault or threats against to the victim were made.

As proposed, S.B. 1783 eliminates the 60-day waiting period before a divorce is granted in cases when a spouse is convicted of an offense in which assault or threats against the victim were made.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to any state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 6.702, Family Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Makes a conforming change.

(c) Provides that a waiting period is not required under Subsection (a) before a court is authorized to grant a divorce in a suit in which the respondent has been finally convicted of an offense an element of which included the respondent assaulting or threatening the petitioner.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2007.

EFFECTIVE DATE

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