

By: Hughes

H.B. No. 2606

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the waiting period for a divorce on the grounds of
3 insupportability.

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

5 SECTION 1. Section 6.702, Family Code, is amended by
6 amending Subsection (a) and adding Subsections (c) and (d) to read
7 as follows:

8 (a) Except as provided by Subsection (c), the [The] court
9 may not grant a divorce before the 60th day after the date the suit
10 was filed. [~~A decree rendered in violation of this subsection is~~
11 ~~not subject to collateral attack.~~]

12 (c) The court may not grant a divorce on the grounds of
13 insupportability before:

14 (1) the 180th day after the date the suit was filed; or

15 (2) the first anniversary of the date the suit was
16 filed, if the parties to the marriage are the parents of a child
17 under 18 years of age born or adopted during the marriage.

18 (d) A decree rendered in violation of Subsection (a) or (c)
19 is not subject to collateral attack.

20 SECTION 2. The change in law made by this Act applies only
21 to a suit for dissolution of a marriage filed on or after the
22 effective date of this Act. A suit for dissolution of a marriage
23 filed before the effective date of this Act is governed by the law
24 in effect on the date the suit was filed, and the former law is

1 continued in effect for that purpose.

2 SECTION 3. This Act takes effect September 1, 2007.