

By: Chisum, Flynn, Zedler, Davis of Harris,
Brown of Kaufman, et al.

H.B. No. 2684

A BILL TO BE ENTITLED

AN ACT

1
2 relating to marriage education courses for couples considering
3 divorce and the waiting period for a divorce on the grounds of
4 insupportability.

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

6 SECTION 1. Subchapter E, Chapter 6, Family Code, is amended
7 by adding Section 6.412 to read as follows:

8 Sec. 6.412. CRISIS MARRIAGE EDUCATION COURSES. (a) Each
9 couple that files a suit for dissolution of a marriage is encouraged
10 to attend a crisis marriage education course of at least 10 hours,
11 completed within a 48-hour period. The goal of the course, and the
12 focus of each component of the course, is marriage restoration.

13 (b) A crisis marriage education course must, at a minimum,
14 include instruction in:

- 15 (1) conflict management;
16 (2) communication skills; and
17 (3) forgiveness skills.

18 (c) A course under this section should be offered by
19 instructors trained and certified in a skill-based marriage
20 curriculum. The following individuals and organizations may
21 provide courses:

- 22 (1) marriage educators;
23 (2) clergy or their designees;
24 (3) licensed mental health professionals;

1 (4) faith-based organizations; and

2 (5) community-based organizations.

3 (d) A couple that takes a course under this section shall
4 pay any fee charged for the course. A couple that is unable to pay
5 the course fee may apply for a scholarship under this subsection.
6 The executive commissioner of health and human services by rule
7 shall provide for the establishment of a scholarship program funded
8 by money available under the federal Temporary Assistance for Needy
9 Families block grant during each state fiscal biennium to fund
10 programs that support the development of healthy marriages or
11 strengthen families. The executive commissioner shall establish
12 guidelines that use a sliding scale if practicable. In awarding
13 scholarships, the Health and Human Services Commission shall give
14 equal consideration to courses provided by secular and faith-based
15 programs.

16 (e) A person who provides a marriage education course shall
17 provide a signed and dated completion certificate to each couple
18 that completes the course. The certificate must include the name of
19 the course, the name of the course provider, and the completion
20 date.

21 SECTION 2. Section 6.702, Family Code, is amended by
22 amending Subsection (a) and adding Subsections (c) and (d) to read
23 as follows:

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

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

3 (1) the second anniversary of the date the suit was
4 filed; or

5 (2) the 60th day after the date the suit was filed, if:

6 (A) the parties submit to the court a certificate
7 of completion of a crisis marriage education course under Section
8 6.412; or

9 (B) one of the parties to the suit has obtained a
10 protective order under Title 4 against the other party because of
11 family violence.

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

14 SECTION 3. The change in law made by this Act applies only
15 to a suit for dissolution of a marriage filed on or after the
16 effective date of this Act. A suit for dissolution of a marriage
17 filed before the effective date of this Act is governed by the law
18 in effect on the date the suit was filed, and the former law is
19 continued in effect for that purpose.

20 SECTION 4. This Act takes effect September 1, 2007.

COMMITTEE AMENDMENT NO. 1

Amend H.B. No. 2684 on page 3 by striking lines 5-11 and substituting the following:

(2) the 60th day after the date the suit was filed, if:

(A) the parties submit to the court a certificate of completion of a crisis marriage education course under Section 6.412; or

(B) a party submits to the court evidence that the other party to the suit has committed family violence against the party, including:

(i) a copy of a protective order issued under Title 4 against the other party because of family violence;

(ii) a police record documenting family violence by the other party against the party submitting the evidence; or

(iii) a statement by a physician or other medical evidence that indicates that the party submitting the evidence was a victim of family violence.