

By: Hartnett

H.B. No. 3632

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the waiting period for issuing a decree in certain suits
3 for divorce.

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 Subsection (c) to read as
7 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 not
11 subject to collateral attack.

12 (c) A waiting period is not required under Subsection (a)
13 before a court may grant a divorce in a suit in which the respondent
14 has been finally convicted of an offense an element of which
15 included the respondent assaulting or threatening the petitioner.

16 SECTION 2. The change in law made by this Act applies only
17 to a suit for dissolution of a marriage filed on or after the
18 effective date of this Act. A suit for dissolution of a marriage
19 filed before the effective date of this Act is governed by the law
20 in effect on the date the suit was filed, and the former law is
21 continued in effect for that purpose.

22 SECTION 3. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.