

1-1 By: Janek S.B. No. 1783
1-2 (In the Senate - Filed March 9, 2007; March 21, 2007, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 19, 2007, reported favorably by the following vote: Yeas 4,
1-5 Nays 0; April 19, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the waiting period for issuing a decree in certain suits
1-9 for divorce.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 6.702, Family Code, is amended by
1-12 amending Subsection (a) and adding Subsection (c) to read as
1-13 follows:

1-14 (a) Except as provided by Subsection (c), the [The] court
1-15 may not grant a divorce before the 60th day after the date the suit
1-16 was filed. A decree rendered in violation of this subsection is not
1-17 subject to collateral attack.

1-18 (c) A waiting period is not required under Subsection (a)
1-19 before a court may grant a divorce in a suit in which the respondent
1-20 has been finally convicted of an offense an element of which
1-21 included the respondent assaulting or threatening the petitioner.

1-22 SECTION 2. The change in law made by this Act applies only
1-23 to a suit for dissolution of a marriage filed on or after the
1-24 effective date of this Act. A suit for dissolution of a marriage
1-25 filed before the effective date of this Act is governed by the law
1-26 in effect on the date the suit was filed, and the former law is
1-27 continued in effect for that purpose.

1-28 SECTION 3. This Act takes effect immediately if it receives
1-29 a vote of two-thirds of all the members elected to each house, as
1-30 provided by Section 39, Article III, Texas Constitution. If this
1-31 Act does not receive the vote necessary for immediate effect, this
1-32 Act takes effect September 1, 2007.

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