

BILL ANALYSIS

H.B. 912
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

A court order issued by a Texas court is a legally binding command to perform or refrain from certain actions, particularly in a family law proceeding. When a party fails to obey or comply with a court order, an enforcement action against that party may be initiated. However, for the order to be enforceable by contempt, the language must be clear, specific, and unambiguous.

H.B. 912 requires the court to determine that the provisions in an order under family law proceedings relating to the parent-child relationship and the marriage relationship for which enforcement is requested are clear, specific, and unambiguous before entering the order.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 912 amends the Family Code to require a court to find that the provisions of an order under family law proceedings relating to the parent-child relationship and the marriage relationship for which enforcement is requested are clear, specific, and unambiguous before the court may render an enforcement order that includes enforcement by contempt.

EFFECTIVE DATE

September 1, 2009.