

By: Aycock

H.B. No. 63

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition against certain court orders in a suit
3 affecting the parent-child relationship during a parent's military
4 deployment.

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

6 SECTION 1. Chapter 151, Family Code, is amended by adding
7 Section 151.004 as follows:

8 Sec. 151.004. PROHIBITION AGAINST CERTAIN ORDERS DURING
9 PARENT'S MILITARY DEPLOYMENT. A court may not render an order
10 affecting the terms of a parent's possession of or access to the
11 parent's child on the sole grounds that the parent has voluntarily
12 abandoned or left the child or has otherwise voluntarily
13 relinquished the primary care and possession of the child if the
14 parent has temporarily relinquished the primary care and possession
15 of the child to another person during a period in which the parent:

16 (1) is ordered to duty as a member of the armed forces
17 of the United States, the Texas National Guard, or the National
18 Guard of another state without the option of being accompanied by
19 the child; and

20 (2) is serving in a location where access to the child
21 is not reasonably possible.

22 SECTION 2. The changes in law made by this Act apply to a
23 suit affecting the parent-child relationship that is pending in a
24 trial court on the effective date of this Act or filed on or after

1 that date.

2 SECTION 3. This Act takes effect September 1, 2009.