

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

SECTION 2. The changes in law made by this Act apply to a suit affecting the parent-child relationship that is pending in a 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.