

By: King of Parker, Kolthorst, Cook, Flynn

H.B. No. 1078

Substitute the following for H.B. No. 1078:

By: Cook

C.S.H.B. No. 1078

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the appointment of a guardian ad litem and attorney for  
3 a minor in an application for a court order authorizing the minor to  
4 consent to an abortion.

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

6 SECTION 1. Section 33.003(e), Family Code, is amended to  
7 read as follows:

8 (e) The court shall appoint a guardian ad litem for the  
9 minor. If the minor has not retained an attorney, the court shall  
10 appoint an attorney to represent the minor. The [~~If the guardian ad~~  
11 ~~litem is an attorney admitted to the practice of law in this state,~~  
12 ~~the~~] court may not appoint the guardian ad litem to serve as the  
13 minor's attorney. The court may not appoint the minor's attorney to  
14 be the guardian ad litem for the minor.

15 SECTION 2. The change in law made by this Act applies only  
16 to an application for a court order authorizing a minor to consent  
17 to an abortion filed under Section 33.003, Family Code, as amended  
18 by this Act, on or after the effective date of this Act. An  
19 application filed before the effective date of this Act is governed  
20 by the law in effect at the time the application was filed, and that  
21 law is continued in effect for that purpose.

22 SECTION 3. This Act takes effect September 1, 2011.