

AN ACT

relating to certain temporary 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. Sections 153.702(a) and (c), Family Code, are amended to read as follows:

(a) If a conservator is ordered to military deployment, military mobilization, or temporary military duty that involves moving a substantial distance from the conservator's residence so as to materially affect the conservator's ability to exercise the conservator's rights and duties in relation to a child, either conservator may file for an order under this subchapter without the necessity of showing a material and substantial change of circumstances other than the military deployment, military mobilization, or temporary military duty.

(c) A temporary order rendered by the court under this subchapter may grant rights to and impose duties on a designated person regarding the child, except that if the designated person is a nonparent, the court may not require the designated person to pay child support.

SECTION 2. Section 153.703(b), Family Code, is amended to read as follows:

(b) A nonparent appointed as a designated person ~~[named]~~ in a temporary order rendered under this section has the rights and

1 duties of a nonparent appointed as sole managing conservator under
2 Section 153.371.

3 SECTION 3. Section 153.706, Family Code, is repealed.

4 SECTION 4. The changes in law made by this Act apply to a
5 motion for a temporary order under Subchapter L, Chapter 153,
6 Family Code, that is pending in a trial court on the effective date
7 of this Act or filed on or after that date.

8 SECTION 5. This Act takes effect September 1, 2011.

H.B. No. 1404

President of the Senate

Speaker of the House

I certify that H.B. No. 1404 was passed by the House on March 31, 2011, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1404 was passed by the Senate on May 10, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor