

AN ACT

relating to the creation of an advisory panel to study certain parental rights relating to possession of or access to the parent's child.

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

SECTION 1. PARENTAL RIGHTS ADVISORY PANEL. (a) The Parental Rights Advisory Panel is established to study and provide recommendations to the legislature regarding a parent's right to possession of or access to the parent's child, including interference with that right by the other parent, when:

(1) no court order for possession of or access to a child is in effect or pending; and

(2) the party allegedly interfering with the rights of a parent is not aware of any plans by the parent to seek an order for possession of or access to a child.

(b) The panel shall specifically address the desirability of potential Texas legislation:

(1) clarifying a parent's rights to possession of or access to the parent's child in the absence of a current or pending court order for possession of or access to the child;

(2) creating the offense of depriving a parent of possession of or access to the parent's child in the absence of a current or pending court order for possession of or access to the child;

1 (3) implementing measures that allow for the
2 establishment of orders of possession of or access to a child while
3 protecting the rights and safety of victims of family violence and
4 the families of the victims;

5 (4) requiring schools to notify the other parent if
6 one parent unenrolls a child from the child's school; and

7 (5) relating to any other matter regarding possession
8 of or access to a child in the absence of a current or pending court
9 order relating to the possession of or access to the child.

10 (c) The advisory panel consists of nine members appointed by
11 the governor.

12 (d) When making initial appointments under Subsection (c),
13 the governor shall designate one of the appointees as presiding
14 officer of the advisory panel.

15 (e) The advisory panel shall meet not later than the 30th
16 day after the date the initial appointments are made under
17 Subsection (c) and shall meet regularly as necessary at the call of
18 the presiding officer.

19 (f) An advisory panel member is not entitled to
20 reimbursement of expenses or to compensation.

21 (g) The governor shall appoint members to the panel not
22 later than December 31, 2011.

23 (h) Not later than December 31, 2012, the advisory panel
24 shall submit to the legislature a report outlining the results of
25 its studies made under this section and its recommendations for
26 legislation.

27 SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Chapter 2110,

1 Government Code, does not apply to the advisory panel established
2 under this Act.

3 SECTION 3. EXPIRATION. The advisory panel established
4 under this Act is abolished and this Act expires September 1, 2013.

5 SECTION 4. EFFECTIVE DATE. This Act takes effect
6 immediately if it receives a vote of two-thirds of all the members
7 elected to each house, as provided by Section 39, Article III, Texas
8 Constitution. If this Act does not receive the vote necessary for
9 immediate effect, this Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 2367 was passed by the House on May 5, 2011, by the following vote: Yeas 144, Nays 2, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2367 on May 27, 2011, by the following vote: Yeas 138, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2367 was passed by the Senate, with amendments, on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor