

By: Wentworth  
(Jackson)

S.B. No. 1159

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to an exception to the residency requirements for filing a  
3 suit for dissolution of a marriage in this state for certain spouses  
4 of military personnel.

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

6 SECTION 1. Sections 6.303 and 6.304, Family Code, are  
7 amended to read as follows:

8 Sec. 6.303. ABSENCE ON PUBLIC SERVICE. Time spent by a  
9 Texas domiciliary outside this state or outside the county of  
10 residence of the domiciliary while in the service of the armed  
11 forces or other service of the United States or of this state, or  
12 while accompanying the domiciliary's spouse in the spouse's service  
13 of the armed forces or other service of the United States or of this  
14 state, is considered residence in this state and in that county.

15 Sec. 6.304. ARMED FORCES PERSONNEL NOT PREVIOUSLY  
16 RESIDENTS. A person not previously a resident of this state who is  
17 serving in the armed forces of the United States and has been  
18 stationed at one or more military installations in this state for at  
19 least the last six months and at a military installation in a county  
20 of this state for at least the last 90 days, or who is accompanying  
21 the person's spouse during the spouse's military service in those  
22 locations and for those periods, is considered to be a Texas  
23 domiciliary and a resident of that county for those periods for the  
24 purpose of filing suit for dissolution of a marriage.

1           SECTION 2. The change in law made by this Act applies only  
2 to a suit for dissolution of a marriage filed on or after the  
3 effective date of this Act. A suit filed before that date is  
4 governed by the law in effect on the date the suit was filed, and the  
5 former law is continued in effect for that purpose.

6           SECTION 3. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2011.