

1-1 By: Wentworth S.B. No. 1159
1-2 (In the Senate - Filed March 4, 2011; March 16, 2011, read
1-3 first time and referred to Committee on Jurisprudence;
1-4 April 18, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 18, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1159 By: Harris

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to an exception to the residency requirements for filing a
1-11 suit for dissolution of a marriage in this state for certain spouses
1-12 of military personnel.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Sections 6.303 and 6.304, Family Code, are
1-15 amended to read as follows:

1-16 Sec. 6.303. ABSENCE ON PUBLIC SERVICE. Time spent by a
1-17 Texas domiciliary outside this state or outside the county of
1-18 residence of the domiciliary while in the service of the armed
1-19 forces or other service of the United States or of this state, or
1-20 while accompanying the domiciliary's spouse in the spouse's service
1-21 of the armed forces or other service of the United States or of this
1-22 state, is considered residence in this state and in that county.

1-23 Sec. 6.304. ARMED FORCES PERSONNEL NOT PREVIOUSLY
1-24 RESIDENTS. A person not previously a resident of this state who is
1-25 serving in the armed forces of the United States and has been
1-26 stationed at one or more military installations in this state for at
1-27 least the last six months and at a military installation in a county
1-28 of this state for at least the last 90 days, or who is accompanying
1-29 the person's spouse during the spouse's military service in those
1-30 locations and for those periods, is considered to be a Texas
1-31 domiciliary and a resident of that county for those periods for the
1-32 purpose of filing suit for dissolution of a marriage.

1-33 SECTION 2. The change in law made by this Act applies only
1-34 to a suit for dissolution of a marriage filed on or after the
1-35 effective date of this Act. A suit filed before that date is
1-36 governed by the law in effect on the date the suit was filed, and the
1-37 former law is continued in effect for that purpose.

1-38 SECTION 3. This Act takes effect immediately if it receives
1-39 a vote of two-thirds of all the members elected to each house, as
1-40 provided by Section 39, Article III, Texas Constitution. If this
1-41 Act does not receive the vote necessary for immediate effect, this
1-42 Act takes effect September 1, 2011.

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