

**House Bill 2367**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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;
- (3) implementing measures that allow for the establishment of orders of possession of or access to a child while protecting the rights and safety of victims of family violence and the families of the victims;
- (4) requiring schools to notify the other parent if one parent unenrolls a child from the child's school; and
- (5) relating to any other matter regarding possession of or access to a child in the absence of a current or pending court order relating to the possession of or access to the child.

(c) The advisory panel consists of nine members **as follows:**

- (1) three members appointed by the governor;
- (2) three members appointed by the lieutenant governor; and
- (3) three members appointed by the speaker of the house of

SENATE VERSION (IE)

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CONFERENCE

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HOUSE VERSION

representatives.

(d) When making initial appointments under Subsection (c)(1), the governor shall designate one of the governor's appointees as presiding officer of the advisory panel.

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

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

(g) The governor, lieutenant governor, and speaker of the house of representatives shall appoint members to the panel not later than December 31, 2011.

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

SECTION 2. INAPPLICABILITY OF CERTAIN LAW. Chapter 2110, Government Code, does not apply to the advisory panel established under this Act

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

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

SENATE VERSION (IE)

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

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(h) Not later than December 31, 2012, the advisory panel shall submit to the legislature a report outlining the results of its studies made under this section and its recommendations for legislation. [FA1(1),(2)]

SECTION 2. Same as House version.

SECTION 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE