

By: Hughes

H.B. No. 3490

A BILL TO BE ENTITLED

AN ACT

relating to the liability of a spouse in certain divorce suits for costs, attorney's fees, and expenses.

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

SECTION 1. Subchapter H, Chapter 6, Family Code, is amended by adding Section 6.7085 to read as follows:

Sec. 6.7085. LIABILITY FOR COSTS, ATTORNEY'S FEES, AND EXPENSES IN CERTAIN DIVORCE SUITS. (a) In this section, "family violence" has the meaning assigned by Section 71.004.

(b) Notwithstanding any other law, in a suit in which a divorce is granted in favor of one spouse under Section 6.003 based on adultery committed by the other spouse, or under Section 6.002 or 6.004 based on the commission of family violence by the other spouse, the spouse who has not committed adultery or family violence, as applicable, is not liable to the other spouse for the payment of costs, attorney's fees, or expenses in the suit.

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

SECTION 3. This Act takes effect September 1, 2013.