

**House Bill 1366**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 51.014(b), Civil Practice and Remedies Code, is amended to read as follows:

(b) An interlocutory appeal under Subsection (a), other than an appeal under Subsection (a)(4) or in a suit brought under the Family Code, stays the commencement of a trial in the trial court pending resolution of the appeal. An interlocutory appeal under Subsection (a)(3), (5), or (8) also stays all other proceedings in the trial court pending resolution of that appeal.

SECTION 2. Section 6.4035(c), Family Code, is amended to read as follows:

(c) Notwithstanding Section 132.001, Civil Practice and Remedies Code, the ~~[The]~~ waiver must be sworn before a notary public who is ~~[but may]~~ not ~~[be sworn before]~~ an attorney in the suit.

No equivalent provision.

No equivalent provision.

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

SECTION \_\_. The heading to Section 6.708, Family Code, is amended to read as follows:

Sec. 6.708. COSTS; ATTORNEY'S FEES AND EXPENSES. [FA1]

SECTION \_\_. Section 6.708, Family Code, is amended by adding Subsection (c) to read as follows:

(c) In a suit for dissolution of a marriage, the court may award reasonable attorney's fees and expenses. The court may order the fees and expenses and any postjudgment interest to be paid directly to the attorney, who may enforce the order in the attorney's own name by any means available for the

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enforcement of a judgment for debt. [FA1]

No equivalent provision.

SECTION \_\_. Section 6.708(c), Family Code, as added 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. [FA1]

SECTION 3. Sections 201.015(a) and (e), Family Code, are amended to read as follows:

(a) A party may request a de novo hearing before the referring court by filing with the clerk of the referring court a written request not later than the third [~~seventh~~] working day after the date the party receives notice of the substance of the associate judge's report as provided by Section 201.011.

(e) If a request for a de novo hearing before the referring court is filed by a party, any other party may file a request for a de novo hearing before the referring court not later than the third [~~seventh~~] working day after the date the initial request was filed.

SECTION 3. Same as House version.

SECTION 4. Section 201.1042(b), Family Code, is amended to read as follows:

(b) The party requesting a de novo hearing before the referring court shall file notice with the clerk of the referring court not later than the third [~~seventh~~] working day after the date the associate judge signs the proposed order or judgment.

SECTION 4. Same as House version.

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SECTION 5. Sections 201.317(a) and (d), Family Code, are amended to read as follows:

(a) A party may request a de novo hearing before the referring court by filing with the clerk of the referring court a written request not later than the third ~~seventh~~ working day after the date the party receives notice of the substance of the associate judge's report as provided by Section 201.313.

(d) If a request for a de novo hearing before the referring court is filed by a party, any other party may file a request for a de novo hearing before the referring court not later than the third ~~seventh~~ working day after the date the initial request was filed.

SECTION 6. The change in law made by this Act to Section 51.014(b), Civil Practice and Remedies Code, applies only to an appeal of an interlocutory order rendered on or after the effective date of this Act. An appeal of an interlocutory order rendered before the effective date of this Act is governed by the law in effect immediately before that date, and the former law is continued in effect for that purpose.

SECTION 7. The change in law made by this Act to Section 6.4035(c), Family Code, applies to a waiver of service of process executed by a party to a suit for the dissolution of a marriage on or after the effective date of this Act, regardless of whether the suit is filed before, on, or after that date.

SECTION 8. The changes in law made by this Act to Chapter 201, Family Code, apply only to a request for a de novo

SENATE VERSION (IE)

SECTION 5. Same as House version.

SECTION 6. Same as House version.

SECTION 7. Same as House version.

SECTION 8. Same as House version.

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hearing in a case referred to an associate judge under Chapter 201, Family Code, on or after the effective date of this Act. A request for a de novo hearing in a case referred to an associate judge before the effective date of this Act is governed by the law in effect on the date the case was referred, and the former law is continued in effect for that purpose.

SECTION 9. This Act takes effect September 1, 2013.

SENATE VERSION (IE)

SECTION 9. Same as House version.

CONFERENCE