

BILL ANALYSIS

Senate Research Center
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S.B. 818
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law imposes a duty on each parent to notify the other if someone he or she will reside with or marry is charged with a sexual offense. This is an important requirement aimed at protecting children.

The same standard should apply for parents who commit child abuse or family violence. A parent should be made aware if the other parent is living with or marrying someone who has a family violence protective order entered against him or her or if criminal charges are filed. This change would give the parent a chance to ensure that appropriate safeguards are in place to protect the child.

As proposed, S.B. 818 amends current law relating to the requirement that a parent appointed as a conservator of a child disclose certain information regarding family violence.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 153.076(b), Family Code, as follows:

(b) Requires the court to order that each conservator of a child has the duty to inform the other conservator of the child if the conservator resides with for at least 30 days, marries, or intends to marry a person who the conservator knows:

(1) is registered as a sex offender under Chapter 62 (Sex Offender Registration Program), Code of Criminal Procedure;

(2) is currently charged with an offense for which on conviction the person would be required to register under Chapter 62, Code of Criminal Procedure, rather than register under that chapter;

(3) is the subject of a protective order rendered under Chapter 85 (Issuance of Protective Order) or a similar law of another state in which the person was found to have committed family violence; or

(4) is currently charged with an offense involving family violence for which a protective order may be rendered under Chapter 85 or a similar law of another state.

SECTION 2. (a) Makes application of this Act, except as provided by Subsection (b) of this section, prospective.

(b) Authorizes a person to bring a suit to modify a court order rendered before September 1, 2015, under Section 153.076(b), Family Code, as amended by this Act.

SECTION 3. Effective date: September 1, 2015.