

By: Thompson of Harris

H.B. No. 1500

A BILL TO BE ENTITLED

AN ACT

relating to certain temporary orders in a suit for modification of an order in a suit affecting the parent-child relationship.

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

SECTION 1. Section 156.006, Family Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) A person who files a motion for a temporary order authorized by Subsection (b)(1) shall execute and attach to the motion an affidavit on the person's personal knowledge or the person's belief based on representations made to the person by a person with personal knowledge that contains facts that support the allegation that the child's present circumstances would significantly impair the child's physical health or emotional development. The court shall deny the relief sought and decline to schedule a hearing on the motion unless the court determines, on the basis of the affidavit, that facts adequate to support the allegation are stated in the affidavit. If the court determines that the facts stated are adequate to support the allegation, the court shall set a time and place for the hearing.

SECTION 2. Section 156.006(b-1), Family Code, as added by this Act, applies to a suit for modification filed on or after the effective date of this Act. A suit for modification 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.

1 SECTION 3. This Act takes effect September 1, 2015.