

By: Thompson of Harris

H.B. No. 3121

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement of orders in a suit affecting the parent-child relationship.

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

SECTION 1. Section 157.001, Family Code, is amended by amending Subsections (a), (b), and (c) and adding Subsection (e) to read as follows:

(a) A motion for enforcement as provided in this chapter may be filed to enforce any provision of a temporary or [a] final order rendered in a suit [~~for conservatorship, child support, possession of or access to a child, or other provisions of a final order~~].

(b) The court may enforce by contempt any provision of a temporary or final order, other than an order for child support [~~for possession of and access to a child as provided in this chapter~~].

(c) The court may enforce a temporary or final order for child support as provided in this chapter or Chapter 158.

(e) For purposes of this section, "temporary order" includes a temporary restraining order, standing order, injunction, and any other temporary order rendered by a court.

SECTION 2. Sections 157.062(c) and (d), Family Code, are amended to read as follows:

(c) Notice of hearing on a motion for enforcement of a final [~~an existing~~] order providing for child support or possession of or access to a child, any provision of a final order rendered against a

1 party who has already appeared in a suit under this title, or any
2 provision of a temporary order shall be given to the respondent by
3 personal service of a copy of the motion and notice not later than
4 the 10th day before the date of the hearing. For purposes of this
5 subsection, "temporary order" includes a temporary restraining
6 order, standing order, injunction, and any other temporary order
7 rendered by a court.

8 (d) If a motion for enforcement of a final order, other than
9 a final order rendered against a party who has already appeared in a
10 suit under this title, is joined with another claim:

11 (1) the hearing may not be held before 10 a.m. on the
12 first Monday after the 20th day after the date of service; and

13 (2) the provisions of the Texas Rules of Civil
14 Procedure applicable to the filing of an original lawsuit apply.

15 SECTION 3. Section 157.065(a), Family Code, is amended to
16 read as follows:

17 (a) If a party has been ordered under Chapter 105 to provide
18 the court and the state case registry with the party's current
19 mailing address, notice of a hearing on a motion for enforcement of
20 a final order may be served by mailing a copy of the notice to the
21 respondent, together with a copy of the motion, by first class mail
22 to the last mailing address of the respondent on file with the court
23 and the registry.

24 SECTION 4. The changes in law made by this Act apply to a
25 motion for enforcement that is filed on or after the effective date
26 of this Act. A motion for enforcement filed before the effective
27 date of this Act is governed by the law in effect on the date the

1 motion is filed, and the former law is continued in effect for that
2 purpose.

3 SECTION 5. This Act takes effect September 1, 2015.