

By: Rodríguez

S.B. No. 819

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to certain temporary orders in a suit for modification of  
3 an order in a suit affecting the parent-child relationship.

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

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

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

20 SECTION 2. Section 156.006(b-1), Family Code, as added by  
21 this Act, applies to a suit for modification filed on or after the  
22 effective date of this Act. A suit for modification filed before  
23 that date is governed by the law in effect on the date the suit was  
24 filed, and the former law is continued in effect for that purpose.

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