

SENATE AMENDMENTS

2nd Printing

By: Thompson of Harris

H.B. No. 3121

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

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

22 (c) Notice of hearing on a motion for enforcement of a final
23 [~~an existing~~] order providing for child support or possession of or
24 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

H.B. No. 3121

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.

ADOPTED

MAY 27 2015

Atalay Spaw
Secretary of the Senate

By: Rodriguez

H.B. No. 3121

Substitute the following for H.B. No. 3121:

By: Grant Huffman

C.S.H.B. No. 3121

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9 be filed to enforce any provision of a temporary or [a] final order
10 rendered in a suit [~~for conservatorship, child support, possession~~
11 ~~of or access to a child, or other provisions of a final order~~].

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

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

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

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

22 (c) Notice of hearing on a motion for enforcement of a final
23 [~~an existing~~] order providing for child support or possession of or
24 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:

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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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 28, 2015

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3121 by Thompson, Senfronia (Relating to the enforcement of orders in a suit affecting the parent-child relationship.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to clarify that temporary orders are enforceable in suits affecting parent-child relationships and specify time requirements for notice regarding motions to enforce certain temporary and final orders, and methods of notice for a motion to enforce a final order.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, SD, AG, ESi, MW, GDz

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 22, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3121 by Thompson, Senfronia (Relating to the enforcement of orders in a suit affecting the parent-child relationship.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

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LBB Staff: UP, AG, ESi, MW, GDz

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 13, 2015

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3121 by Thompson, Senfronia (Relating to the enforcement of orders in a suit affecting the parent-child relationship.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

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No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, AG, ESi, MW, GDz

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

April 4, 2015

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB3121** by Thompson, Senfronia (Relating to the enforcement of orders in a suit affecting the parent-child relationship.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Family Code to clarify that temporary orders are enforceable in suits affecting parent-child relationships and specify time requirements for notice regarding motions to enforce certain temporary and final orders, and methods of notice for a motion to enforce a final order.

Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

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