

Amend **HB 3052** by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 6.405, Family Code, is amended to read as follows:

Sec. 6.405. PROTECTIVE ORDER AND RELATED ORDERS. (a) The petition in a suit for dissolution of a marriage must state whether, in regard to a party to the suit or a child of a party to the suit:

(1) there is in effect:

(A) a protective order under Title 4;

(B) a protective order under Chapter 7A, Code of Criminal Procedure; or

(C) an order for emergency protection under Article 17.292, Code of Criminal Procedure; ~~is in effect~~ or

(2) ~~if~~ an application for an ~~a protective~~ order described by Subdivision (1) is pending ~~with regard to the parties to the suit~~.

(b) The petitioner shall attach to the petition a copy of each ~~protective~~ order described by Subsection (a)(1) ~~issued under Title 4~~ in which a party ~~one of the parties~~ to the suit or the child of a party to the suit was the applicant or victim of the conduct alleged in the application or order and the other party was the respondent or defendant of an action regarding the conduct alleged in the application or order without regard to the date of the order. If a copy of the ~~protective~~ order is not available at the time of filing, the petition must state that a copy of the order will be filed with the court before any hearing.

SECTION _____. Section 102.008, Family Code, is amended by amending Subsection (b) and adding Subsections (c) and (d) to read as follows:

(b) The petition must include:

(1) a statement that the court in which the petition is filed has continuing, exclusive jurisdiction or that no court has continuing jurisdiction of the suit;

(2) the name and date of birth of the child, except that if adoption of a child is requested, the name of the child may be omitted;

(3) the full name of the petitioner and the petitioner's relationship to the child or the fact that no relationship exists;

(4) the names of the parents, except in a suit in which adoption is requested;

(5) the name of the managing conservator, if any, or the child's custodian, if any, appointed by order of a court of another state or country;

(6) the names of the guardians of the person and estate of the child, if any;

(7) the names of possessory conservators or other persons, if any, having possession of or access to the child under an order of the court;

(8) the name of an alleged father of the child or a statement that the identity of the father of the child is unknown;

(9) a full description and statement of value of all property owned or possessed by the child;

(10) a statement describing what action the court is requested to take concerning the child and the statutory grounds on which the request is made; ~~and~~

(11) a statement as to whether, in regard to a party to the suit or a child of a party to the suit:

(A) there is in effect:

(i) a protective order under Title 4;

(ii) a protective order under Chapter 7A, Code of Criminal Procedure; or

(iii) an order for emergency protection under Article 17.292, Code of Criminal Procedure; or

(B) an application for an order described by Paragraph (A) is pending; and

(12) any other information required by this title.

(c) The petitioner shall attach a copy of each order described by Subsection (b)(11)(A) in which a party to the suit or a child of a party to the suit was the applicant or victim of the conduct alleged in the application or order and the other party was the respondent or defendant of an action regarding the conduct alleged in the application or order without regard to the date of

the order. If a copy of the order is not available at the time of filing, the petition must state that a copy of the order will be filed with the court before any hearing.

(d) Notwithstanding any other provision of this section, if the Title IV-D agency files a petition in a suit affecting the parent-child relationship, the agency is not required to:

(1) include in the petition the statement described by Subsection (b)(11); or

(2) attach copies of the documentation described by Subsection (c).

SECTION _____. Subchapter G, Chapter 160, Family Code, is amended by adding Section 160.6035 to read as follows:

Sec. 160.6035. CONTENTS OF PETITION; STATEMENT RELATING TO CERTAIN PROTECTIVE ORDERS REQUIRED. (a) The petition in a proceeding to adjudicate parentage must include a statement as to whether, in regard to a party to the proceeding or a child of a party to the proceeding:

(1) there is in effect:

(A) a protective order under Title 4;

(B) a protective order under Chapter 7A, Code of Criminal Procedure; or

(C) an order for emergency protection under Article 17.292, Code of Criminal Procedure; or

(2) an application for an order described by Subdivision (1) is pending.

(b) The petitioner shall attach a copy of each order described by Subsection (a)(1) in which a party to the proceeding or a child of a party to the proceeding was the applicant or victim of the conduct alleged in the application or order and the other party was the respondent or defendant of an action regarding the conduct alleged in the application or order without regard to the date of the order. If a copy of the order is not available at the time of filing, the petition must state that a copy of the order will be filed with the court before any hearing.

(c) Notwithstanding any other provision of this section, if the Title IV-D agency files a petition in a proceeding to adjudicate parentage, the agency is not required to:

(1) include in the petition the statement described by Subsection (a); or

(2) attach copies of the documentation described by Subsection (b).

SECTION _____. Sections 6.405 and 102.008, Family Code, as amended by this Act, and Section 160.6035, Family Code, as added by this Act, apply only to a petition filed on or after September 1, 2017. A petition filed before September 1, 2017, is governed by the law in effect on the date the petition was filed, and the former law is continued in effect for that purpose.