

## **BILL ANALYSIS**

S.B. 77  
By: Nelson  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties express concern regarding the ability of a court to terminate the parental rights of a parent who has committed sexual assault against the child's other parent. S.B. 77 seeks to remedy this situation by expanding the conditions under which a court may order termination of the parent-child relationship and order child support.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

S.B. 77 amends the Family Code to expand the conditions under which a court may order termination of the parent-child relationship to include finding by clear and convincing evidence that the parent has been convicted of, or has been placed on community supervision, including deferred adjudication community supervision, or another functionally equivalent form of community supervision or probation, for being criminally responsible for, the sexual assault or aggravated sexual assault of the other parent of the child under Texas law or under a law of another state, federal law, or the Uniform Code of Military Justice that contains elements that are substantially similar to the elements of such an offense under Texas law. The bill authorizes a court to order each person who is financially able and whose parental rights have been terminated with respect to a child for such a reason to support the child in the manner specified by the order for the period prescribed by law for court-ordered child support.

### **EFFECTIVE DATE**

September 1, 2017.