

By: Wu

H.B. No. 688

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the filing of a court reporter's record in an appeal of  
3 a final order in certain suits affecting the parent-child  
4 relationship.

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

6 SECTION 1. Sections 263.405(a) and (b), Family Code, are  
7 amended to read as follows:

8 (a) An appeal of a final order rendered under this  
9 subchapter is governed by Section 263.4056 and the procedures for  
10 accelerated appeals in civil cases under the Texas Rules of  
11 Appellate Procedure. The appellate court shall render its final  
12 order or judgment with the least possible delay.

13 (b) A final order rendered under this subchapter must  
14 contain the following prominently displayed statement in boldfaced  
15 type, in capital letters, or underlined: "A PARTY AFFECTED BY THIS  
16 ORDER HAS THE RIGHT TO APPEAL. AN APPEAL IN A SUIT IN WHICH  
17 TERMINATION OF THE PARENT-CHILD RELATIONSHIP IS SOUGHT IS GOVERNED  
18 BY SECTION 263.4056, FAMILY CODE, AND THE PROCEDURES FOR  
19 ACCELERATED APPEALS IN CIVIL CASES UNDER THE TEXAS RULES OF  
20 APPELLATE PROCEDURE. FAILURE TO FOLLOW SECTION 263.4056, FAMILY  
21 CODE, AND THE TEXAS RULES OF APPELLATE PROCEDURE FOR ACCELERATED  
22 APPEALS MAY RESULT IN THE DISMISSAL OF THE APPEAL."

23 SECTION 2. Subchapter E, Chapter 263, Family Code, is  
24 amended by adding Section 263.4056 to read as follows:

1       Sec. 263.4056. DEADLINE FOR FILING COURT REPORTER'S RECORD  
2 IN APPELLATE COURT. (a) In an appeal of a final order rendered  
3 under this subchapter, the court reporter for the court that  
4 rendered the order shall prepare and submit the reporter's record  
5 of the trial to the appellate court not later than the 20th day  
6 after the date the notice of appeal is filed with the court.

7       (b) On a showing of good cause, the appellate court may  
8 extend the deadline for submitting the reporter's record. If the  
9 court grants an extension under this subsection, the reporter's  
10 record must be filed with the appellate court not later than the  
11 40th day after the date the notice of appeal is filed with the  
12 court.

13       (c) To the extent that this section conflicts with the Texas  
14 Rules of Appellate Procedure, this section controls.  
15 Notwithstanding Section 22.004, Government Code, this section may  
16 not be modified or repealed by a rule adopted by the supreme court.

17       SECTION 3. (a) Section 263.405(b), Family Code, as amended  
18 by this Act, applies only to a final order rendered on or after the  
19 effective date of this Act. An order rendered before that date is  
20 governed by the law in effect immediately before the effective date  
21 of this Act, and that law is continued in effect for that purpose.

22       (b) Section 263.4056, Family Code, as added by this Act,  
23 applies only to an appeal of a final order rendered on or after the  
24 effective date of this Act. An appeal of a final order rendered  
25 before the effective date of this Act is governed by the law in  
26 effect immediately before the effective date of this Act, and that  
27 law is continued in effect for that purpose.

1 SECTION 4. This Act takes effect September 1, 2017.