

By: Creighton

S.B. No. 1019

A BILL TO BE ENTITLED

AN ACT

relating to the dismissal of certain suits affecting the parent-child relationship in which the court has rendered a temporary order.

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

SECTION 1. Chapter 105, Family Code, is amended by adding Section 105.0012 to read as follows:

Sec. 105.0012. DISMISSAL AFTER ONE YEAR FOLLOWING CERTAIN TEMPORARY ORDERS. (a) This section applies only to a suit affecting the parent-child relationship:

(1) that was filed by a person who:

(A) is not a parent of the child; and

(B) requests termination of the parent-child relationship or that the person be named as a conservator of the child or granted possession of or access to the child; and

(2) in which the court has rendered a temporary order under Section 105.001 appointing the person as a conservator of the child or granting the person possession of or access to the child.

(b) In a suit to which this section applies, unless the court has commenced the trial on the merits, on the first Monday after the first anniversary of the date the court rendered the temporary order described by Subsection (a)(2):

(1) the court's jurisdiction in the suit terminates;
and

1 (2) the suit is dismissed with prejudice and without a
2 court order.

3 (c) Notwithstanding Subsection (b), the court may retain
4 jurisdiction to award attorney's fees to a parent defending the
5 suit.

6 SECTION 2. The change in law made by this Act applies only
7 to a temporary order rendered on or after the effective date of this
8 Act. A temporary order rendered before the effective date of this
9 Act is governed by the law in effect on the date the order is
10 rendered, and the former law is continued in effect for that
11 purpose.

12 SECTION 3. This Act takes effect September 1, 2017.