

BILL ANALYSIS

H.B. 926
By: Krause
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the current waiting period for a divorce on grounds of insupportability is too short in cases where a child or an adult disabled child resides with one of the parties. H.B. 926 seeks to provide sufficient time for partners seeking a divorce to contemplate potential detrimental effects on their children by extending the required waiting period in such cases from 60 to 180 days, except for certain suits involving elements of family violence.

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

H.B. 926 amends the Family Code to extend the end date of the waiting period following the filing of a divorce suit during which a court may not grant a divorce on the grounds of insupportability from the 60th day after the date the suit was filed to the 180th day after the date the suit was filed if the household of one of the spouses is the primary residence for a child under the age of 18, a child 18 years of age who is attending high school, or an adult disabled child. The bill establishes that such an extended waiting period is not required in certain suits involving family violence and that a decree rendered in violation of the waiting period is not subject to collateral attack.

EFFECTIVE DATE

September 1, 2019.