

By: Dutton

H.B. No. 1854

A BILL TO BE ENTITLED

1 AN ACT
2 relating to loss of continuing, exclusive jurisdiction of a court
3 in certain suits affecting the parent-child relationship.

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

5 SECTION 1. Section 155.004(a), Family Code, is amended to
6 read as follows:

7 (a) A court of this state loses its continuing, exclusive
8 jurisdiction to modify its order if:

9 (1) an order of adoption is rendered by another ~~[after~~
10 ~~the]~~ court in an original suit filed as described by Section
11 103.001(b) ~~[acquires continuing, exclusive jurisdiction of the~~
12 ~~suit]~~;

13 (2) the parents of the child have remarried each other
14 after the dissolution of a previous marriage between them and file a
15 suit for the dissolution of their subsequent marriage combined with
16 a suit affecting the parent-child relationship as if there had not
17 been a prior court with continuing, exclusive jurisdiction over the
18 child; or

19 (3) another court assumed jurisdiction over a suit and
20 rendered a final order based on incorrect information received from
21 the vital statistics unit that there was no court of continuing,
22 exclusive jurisdiction.

23 SECTION 2. (a) The change in law made by this Act applies
24 only to an order of adoption rendered on or after the effective date

1 of this Act.

2 (b) Notwithstanding Subsection (a) of this section, an
3 order of adoption rendered in a suit filed as described by Section
4 103.001(b), Family Code, on or after September 1, 2015, but before
5 the effective date of this Act by a court that had jurisdiction
6 under that section to render the order of adoption regardless of
7 whether another court had continuing, exclusive jurisdiction under
8 Chapter 155, Family Code, is a final order and is not subject to an
9 appeal on the basis that the court rendering the order of adoption
10 did not have continuing, exclusive jurisdiction at the time the
11 adoption order was rendered.

12 SECTION 3. This Act takes effect September 1, 2019.