

By: Sanford

H.B. No. 3597

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duty of a parent appointed as a conservator of a
3 child to inform the child's other conservator of certain medical
4 emergencies involving the child.

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

6 SECTION 1. Section 153.076, Family Code, is amended by
7 adding Subsections (b-2) and (c-2) and amending Subsection (d) to
8 read as follows:

9 (b-2) The court shall order that each conservator of a child
10 has a duty to inform the other conservator of the child if:

11 (1) the child is diagnosed with a critical or terminal
12 illness; or

13 (2) the custodial parent has decided to withdraw or
14 withhold life-sustaining treatment.

15 (c-2) The notice required to be made under Subsection (b-2)
16 must be made not later than one hour after the time the conservator
17 received notice of the child's diagnosis or made the decision
18 regarding treatment, as applicable. The notice required to be made
19 under Subsection (b-2)(2) must provide the conservator receiving
20 notice an opportunity to visit the child for at least one hour
21 without interference from the other conservator or any other person
22 associated with that conservator.

23 (d) A conservator commits an offense if the conservator
24 fails to provide notice in the manner required by Subsections (b)

1 and (c), [~~or~~] Subsections (b-1) and (c-1), or Subsections (b-2) and
2 (c-2), as applicable. An offense under this subsection is a Class C
3 misdemeanor.

4 SECTION 2. (a) Except as provided by Subsection (b) of this
5 section, the changes in law made by this Act to Section 153.076,
6 Family Code, apply only to a court order rendered on or after the
7 effective date of this Act. A court order rendered before that date
8 is governed by the law in effect on the date the order was rendered,
9 and the former law is continued in effect for that purpose.

10 (b) A person may bring a suit to modify a court order
11 rendered before September 1, 2019, under Section 153.076, Family
12 Code, as amended by this Act.

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