

By: Rodríguez

S.B. No. 265

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to temporary orders during the pendency of an appeal in a  
3 suit affecting the parent-child relationship.

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

5 SECTION 1. Section 109.001(b), Family Code, is amended to  
6 read as follows:

7 (b) A temporary order under this section enjoining a party  
8 from molesting or disturbing the peace of the child or another  
9 party:

10 (1) may be rendered without:

11 (A) the issuance of a bond between the parties  
12 [~~spouses~~]; or

13 (B) an affidavit or a verified pleading stating  
14 specific facts showing that immediate and irreparable injury, loss,  
15 or damage will result; and

16 (2) is not required to:

17 (A) define the injury or state why the injury is  
18 irreparable; or

19 (B) include an order setting the suit for trial  
20 on the merits with respect to the ultimate relief sought.

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

24 (b) Notwithstanding Subsection (a) of this section, the

1 change in law made by this Act applies to a temporary order rendered  
2 by a court of competent jurisdiction on or after September 1, 2017,  
3 but before the effective date of this Act. The legislature ratifies  
4 such an order.

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