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| BILL ANALYSIS |

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| H.B. 868 |
| By: Thompson, Senfronia |
| Juvenile Justice & Family Issues |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE** Under current law, if a jury designates a parent to be a joint managing conservator, the jury may impose certain geographic restrictions. However, the statute is silent on a jury's ability to impose a geographic restriction on a sole managing conservator, resulting in the inconsistent use of the court's authority in imposing such a restriction. H.B. 868 seeks to clarify this issue by authorizing a jury to impose a geographic restriction when a parent has been designated a joint managing conservator or a sole managing conservator. |
| **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. 868 amends the Family Code to establish that, in a suit affecting the parent-child relationship that involves a jury trial, the court may submit questions to the jury on the following issues relating to the rights and duties of a conservator: * the determination of whether to impose a restriction on the geographic area in which a managing conservator may designate the child's primary residence; and
* the determination of that geographic area, if such a restriction is imposed.

The bill specifies that the designator of the child's primary residence may be a sole managing conservator instead of a joint managing conservator.  |
| **EFFECTIVE DATE** September 1, 2021. |