87R2116 EAS-D

By:  White H.B. No. 526

A BILL TO BE ENTITLED

AN ACT

relating to the time period during which a court must interview certain children in chambers on issues regarding conservatorship and residence in a suit affecting the parent-child relationship.

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

SECTION 1.  Section 153.009(a), Family Code, is amended to read as follows:

(a)  In a nonjury trial or at a hearing, on the application of a party, the amicus attorney, or the attorney ad litem for the child, the court shall interview in chambers a child 12 years of age or older and may interview in chambers a child under 12 years of age to determine the child's wishes as to conservatorship or as to the person who shall have the exclusive right to determine the child's primary residence. The court may also interview a child in chambers on the court's own motion for a purpose specified by this subsection. An interview of a child 12 years of age or older required under this subsection must be conducted not later than the 60th business day after the date the application is filed by the party, amicus attorney, or attorney ad litem, as applicable.

SECTION 2.  The change in law made by this Act applies to a suit affecting the parent-child relationship that is pending in a trial court on the effective date of this Act or that is filed on or after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2021.