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By:  Dutton H.B. No. 2935

A BILL TO BE ENTITLED

AN ACT

relating to suits affecting the parent-child relationship filed by the Department of Family and Protective Services without taking possession of the child.

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

SECTION 1.  Section 262.201(e), Family Code, is amended to read as follows:

(e)  The court may, for good cause shown, postpone the full adversary hearing for not more than seven days from the date of the attorney's appointment to provide the attorney time to respond to the petition and prepare for the hearing. The court may shorten or lengthen the extension granted under this subsection if the parent and the appointed attorney agree in writing. If the court postpones the full adversary hearing, the court shall extend a temporary order, temporary restraining order, or attachment issued by the court under Section 262.102(a) [~~or Section 262.1131~~] for the protection of the child until the date of the rescheduled full adversary hearing.

SECTION 2.  The following provisions of the Family Code are repealed:

(1)  Section 262.113;

(2)  Section 262.1131; and

(3)  Sections 262.201(b) and (j).

SECTION 3.  The changes in law made by this Act apply only to a suit filed by the Department of Family and Protective Services on or after the effective date of this Act. A suit filed by the department before that date is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

SECTION 4.  This Act takes effect September 1, 2021.