87R26277 MCK-F

By:  Perry, et al. S.B. No. 185

(White)

Substitute the following for S.B. No. 185:

By:  Cook C.S.S.B. No. 185

A BILL TO BE ENTITLED

AN ACT

relating to the time for entering a final order in certain suits affecting the parent-child relationship involving the Department of Family and Protective Services.

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

SECTION 1.  Subchapter E, Chapter 263, Family Code, is amended by adding Section 263.4011 to read as follows:

Sec. 263.4011.  RENDERING FINAL ORDER; EXTENSION. (a) On timely commencement of the trial on the merits under Section 263.401, the court shall render a final order not later than the 90th day after the date the trial commences.

(b)  The 90-day period for rendering a final order under Subsection (a) is not tolled for any recess during the trial.

(c)  The court may extend the 90-day period under Subsection (a) for the period the court determines necessary if, after a hearing, the court finds good cause for the extension. If the court grants a good cause extension under this subsection, the court shall render a written order specifying:

(1)  the grounds on which the extension is granted; and

(2)  the length of the extension.

(d)  A party may file a mandamus proceeding if the court fails to render a final order within the time required by this section.

SECTION 2.  Section 263.4011, Family Code, as added by this Act, applies only to a suit affecting the parent-child relationship filed on or after the effective date of this Act. A suit affecting the parent-child relationship filed before that date is governed by the law in effect on the date the suit was filed, and that law is continued in effect for that purpose.

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