By:  Perry S.B. No. 185

(In the Senate - Filed November 12, 2020; March 3, 2021, read first time and referred to Committee on State Affairs; April 8, 2021, reported favorably by the following vote: Yeas 9, Nays 0; April 8, 2021, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Hughes          X

Birdwell        X

Campbell        X

Hall            X

Lucio           X

Nelson          X

Powell          X

Schwertner      X

Zaffirini       X

A BILL TO BE ENTITLED

AN ACT

relating to the time for rendering 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)  If the court finds that extraordinary circumstances necessitate extending the 90-day period under Subsection (a), the court may grant one extension of that date for not longer than 30 days. The court shall render a written order:

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

(2)  requiring a final order to be rendered not later than the 30th day after the date the extension is granted.

(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.

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