

By: White

H.B. No. 526

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the time period during which a court must interview  
3 certain children in chambers on issues regarding conservatorship  
4 and residence in a suit affecting the parent-child relationship.

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

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

8 (a) In a nonjury trial or at a hearing, on the application of  
9 a party, the amicus attorney, or the attorney ad litem for the  
10 child, the court shall interview in chambers a child 12 years of age  
11 or older and may interview in chambers a child under 12 years of age  
12 to determine the child's wishes as to conservatorship or as to the  
13 person who shall have the exclusive right to determine the child's  
14 primary residence. The court may also interview a child in chambers  
15 on the court's own motion for a purpose specified by this  
16 subsection. An interview of a child 12 years of age or older  
17 required under this subsection must be conducted not later than the  
18 60th business day after the date the application is filed by the  
19 party, amicus attorney, or attorney ad litem, as applicable.

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

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