

1-1 By: Thompson of Harris (Senate Sponsor - Zaffirini) H.B. No. 868  
 1-2 (In the Senate - Received from the House April 8, 2021;  
 1-3 April 12, 2021, read first time and referred to Committee on State  
 1-4 Affairs; May 10, 2021, reported favorably by the following vote:  
 1-5 Yeas 7, Nays 0; May 10, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16			X	

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the jury charge and jury findings in a suit affecting  
 1-20 the parent-child relationship.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 105.002(c), Family Code, is amended to  
 1-23 read as follows:

1-24 (c) In a jury trial:

1-25 (1) a party is entitled to a verdict by the jury and  
 1-26 the court may not contravene a jury verdict on the issues of:

1-27 (A) the appointment of a sole managing  
 1-28 conservator;

1-29 (B) the appointment of joint managing  
 1-30 conservators;

1-31 (C) the appointment of a possessory conservator;

1-32 (D) the determination of which joint managing  
 1-33 conservator has the exclusive right to designate the primary  
 1-34 residence of the child;

1-35 (E) the determination of whether to impose a  
 1-36 restriction on the geographic area in which a sole managing  
 1-37 conservator or joint managing conservator may designate the child's  
 1-38 primary residence; and

1-39 (F) if a restriction described by Paragraph (E)  
 1-40 is imposed, the determination of the geographic area within which  
 1-41 the sole managing conservator or joint managing conservator must  
 1-42 designate the child's primary residence; and

1-43 (2) the court may not submit to the jury questions on  
 1-44 the issues of:

1-45 (A) support under Chapter 154 or Chapter 159;

1-46 (B) a specific term or condition of possession of  
 1-47 or access to the child; or

1-48 (C) any right or duty of a conservator, other  
 1-49 than a [the] determination [of which joint managing conservator has  
 1-50 the exclusive right to designate the primary residence of the  
 1-51 child] under Subdivision (1)(D), (E), or (F).

1-52 SECTION 2. The change in law made by this Act applies only  
 1-53 to a suit affecting the parent-child relationship filed on or after  
 1-54 the effective date of this Act. A suit affecting the parent-child  
 1-55 relationship filed before the effective date of this Act is  
 1-56 governed by the law in effect on the date the suit was filed, and the  
 1-57 former law is continued in effect for that purpose.

1-58 SECTION 3. This Act takes effect September 1, 2021.

1-59 \* \* \* \* \*