

By: Noble

H.B. No. 1319

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the time for rendering a final order in certain suits
3 affecting the parent-child relationship involving the Department
4 of Family and Protective Services.

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

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

8 Sec. 263.4011. RENDERING FINAL ORDER; EXTENSION. (a) On
9 timely commencement of the trial on the merits under Section
10 263.401, the court shall render a final order not later than the
11 90th day after the date the trial commences.

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

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

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

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

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

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

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