

By: Dutton

H.B. No. 2712

A BILL TO BE ENTITLED

AN ACT

relating to the admissibility of certain evidence in a suit affecting the parent-child relationship.

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

SECTION 1. Chapter 104, Family Code, is amended by adding Sections 104.009 and 104.010 to read as follows:

Sec. 104.009. STATEMENT BY INDIVIDUAL UNDERGOING SUBSTANCE USE DISORDER TREATMENT OR EVALUATION. In a suit affecting the parent-child relationship, except for the purpose of impeachment, a statement made by an individual undergoing voluntary or court-ordered treatment for a substance use disorder or examination for admission to such treatment is not admissible if the statement was made to any person involved in the individual's treatment or examination.

Sec. 104.010. STATEMENT BY INDIVIDUAL UNDERGOING MENTAL HEALTH TREATMENT OR EVALUATION. In a suit affecting the parent-child relationship, except for the purpose of impeachment, a statement made by an individual undergoing voluntary or court-ordered therapeutic treatment for a mental illness or psychological examination for such treatment is not admissible if the statement was made to any person involved in the individual's treatment or examination.

SECTION 2. The change in law made by this Act applies only to a suit affecting the parent-child relationship filed on or after

1 the effective date of this Act. A suit affecting the parent-child
2 relationship filed before that date is governed by the law in effect
3 on the date the suit was filed, and that law is continued in effect
4 for that purpose.

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