

By: Dutton

H.B. No. 2935

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to suits affecting the parent-child relationship filed by  
3 the Department of Family and Protective Services without taking  
4 possession of the child.

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

6 SECTION 1. Section 262.201(e), Family Code, is amended to  
7 read as follows:

8 (e) The court may, for good cause shown, postpone the full  
9 adversary hearing for not more than seven days from the date of the  
10 attorney's appointment to provide the attorney time to respond to  
11 the petition and prepare for the hearing. The court may shorten or  
12 lengthen the extension granted under this subsection if the parent  
13 and the appointed attorney agree in writing. If the court postpones  
14 the full adversary hearing, the court shall extend a temporary  
15 order, temporary restraining order, or attachment issued by the  
16 court under Section 262.102(a) [~~or Section 262.1131~~] for the  
17 protection of the child until the date of the rescheduled full  
18 adversary hearing.

19 SECTION 2. The following provisions of the Family Code are  
20 repealed:

- 21 (1) Section 262.113;  
22 (2) Section 262.1131; and  
23 (3) Sections 262.201(b) and (j).

24 SECTION 3. The changes in law made by this Act apply only to

1 a suit filed by the Department of Family and Protective Services on  
2 or after the effective date of this Act. A suit filed by the  
3 department before that date is governed by the law in effect on the  
4 date the suit was filed, and the former law is continued in effect  
5 for that purpose.

6 SECTION 4. This Act takes effect September 1, 2021.