

By: Dutton

H.B. No. 3203

A BILL TO BE ENTITLED

AN ACT

relating to alternative times of possession under a standard possession order in a suit affecting the parent-child relationship.

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

SECTION 1. Section 153.317(a), Family Code, is amended to read as follows:

(a) If elected by a conservator, the court shall alter the standard possession order under Sections 153.312, 153.314, and 153.315 to provide for one or more of the following alternative beginning and ending possession times for the described periods of possession, unless the court finds that the election is not in the best interest of the child:

(1) for weekend periods of possession under Section 153.312(a)(1) during the regular school term:

(A) beginning at the time the child's school is regularly dismissed;

(B) ending at the time the child's school resumes after the weekend; or

(C) beginning at the time described by Paragraph (A) and ending at the time described by Paragraph (B);

(2) for Thursday periods of possession under Section 153.312(a)(2):

(A) beginning at the time the child's school is regularly dismissed;

1 (B) ending at the time the child's school resumes
2 on Friday; or

3 (C) beginning at the time described by Paragraph
4 (A) and ending at the time described by Paragraph (B);

5 (3) for spring vacation periods of possession under
6 Section 153.312(b)(1), beginning at the time the child's school is
7 dismissed for those vacations;

8 (4) for Christmas school vacation periods of
9 possession under Section 153.314(1), beginning at the time the
10 child's school is dismissed for the vacation;

11 (5) for Thanksgiving holiday periods of possession
12 under Section 153.314(3), beginning at the time the child's school
13 is dismissed for the holiday;

14 (6) for Father's Day periods of possession under
15 Section 153.314(5), ending at 8 a.m. on the Monday after Father's
16 Day weekend;

17 (7) for Mother's Day periods of possession under
18 Section 153.314(6):

19 (A) beginning at the time the child's school is
20 regularly dismissed on the Friday preceding Mother's Day;

21 (B) ending at the time the child's school resumes
22 after Mother's Day; or

23 (C) beginning at the time described by Paragraph
24 (A) and ending at the time described by Paragraph (B); ~~or~~

25 (8) for weekend periods of possession that are
26 extended under Section 153.315(b) by a student holiday or teacher
27 in-service day that falls on a Friday, beginning at the time the

1 child's school is regularly dismissed on Thursday; or
2 (9) for weekend periods of possession that are
3 extended under Section 153.315(a) by a student holiday or teacher
4 in-service day that falls on a Monday, ending at 8 a.m. Tuesday.

5 SECTION 2. The enactment of this Act does not constitute a
6 material and substantial change of circumstances sufficient to
7 warrant modification of a court order or portion of a decree that
8 provides for the possession of or access to a child rendered before
9 the effective date of this Act.

10 SECTION 3. The change in law made by this Act applies to a
11 suit affecting the parent-child relationship that is pending in a
12 trial court on the effective date of this Act or that is filed on or
13 after the effective date of this Act.

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