

By: Hughes

S.B. No. 1936

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the beginning and ending possession times in certain  
3 standard possession orders in a suit affecting the parent-child  
4 relationship.

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

6 SECTION 1. Subchapter F, Chapter 153, Family Code, is  
7 amended by adding Section 153.3171 to read as follows:

8 Sec. 153.3171. BEGINNING AND ENDING POSSESSION TIMES FOR  
9 PARENTS WHO RESIDE 50 MILES OR LESS APART. (a) Except as provided  
10 by Subsection (b), if the possessory conservator resides not more  
11 than 50 miles from the primary residence of the child, the court  
12 shall alter the standard possession order under Sections 153.312,  
13 153.314, and 153.315 to provide that the conservator has the right  
14 to possession of the child as if the conservator had made the  
15 elections for alternative beginning and ending possession times  
16 under Sections 153.317(a)(1)(C), (2)(C), (3), (4), (5), (6),  
17 (7)(C), and (8).

18 (b) A possessory conservator may decline any of the  
19 alternative beginning and ending possession times under Subsection  
20 (a) in a written document filed with the court or through an oral  
21 statement made in open court on the record.

22 SECTION 2. The enactment of this Act does not constitute a  
23 material and substantial change of circumstances sufficient to  
24 warrant modification of a court order or portion of a decree that

1 provides for the possession of or access to a child rendered before  
2 the effective date of this Act.

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

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