| **House Bill 1849**  Senate Amendments  Section-by-Section Analysis | | |
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| HOUSE VERSION | SENATE VERSION (CS) | CONFERENCE |
| No equivalent provision. | SECTION 1. This Act may be cited as Chelsea Maddux's Law. |  |
| SECTION 1. Subchapter B, Chapter 156, Family Code, is amended by adding Section 156.106 to read as follows:  Sec. 156.106. MODIFICATION OF ORDER BASED ON DEATH OF CONSERVATOR. (a) The death of a person who is a conservator of a child is a material and substantial change of circumstances sufficient to justify a temporary order and modification of an existing court order or portion of a decree that provides for the appointment of a conservator or that sets the terms and conditions of conservatorship or for the possession of or access to the child.  (b) Before modifying an order under Section 156.101 based on a material and substantial change of circumstances described by Subsection (a), the court must consider any term or condition of the order or portion of a decree that denies possession of the child to a parent or imposes restrictions or limitations on the parent's right to possession of or access to the child. The court shall include those restrictions or limitations in a modification of the order if the court finds that the restrictions or limitations continue to be in the best interest of the child. | SECTION 2. Subchapter B, Chapter 156, Family Code, is amended by adding Section 156.106 to read as follows:  Sec. 156.106. MODIFICATION OF ORDER BASED ON DEATH OF CONSERVATOR. (a) The death of a person who is a conservator of a child is a material and substantial change of circumstances sufficient to justify a temporary order and modification of an existing court order or portion of a decree that provides for the appointment of a conservator or that sets the terms and conditions of conservatorship or for the possession of or access to the child.  (b) Before modifying an order under Section 156.101 based on a material and substantial change of circumstances described by Subsection (a), the court must consider any term or condition of the order or portion of a decree that denies possession of the child to a parent or imposes restrictions or limitations on the parent's right to possession of or access to the child. The court may include those restrictions or limitations in a modification of the order if the court finds that the restrictions or limitations continue to be in the best interest of the child. |  |
| SECTION 2. The change in law made by this Act applies to a suit for modification that is pending in a trial court on the effective date of this Act or that is filed on or after that date. | SECTION 3. Same as House version. |  |
| SECTION 3. This Act takes effect September 1, 2021. | SECTION 4. Same as House version. |  |