

**House Bill 1849**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

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. 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. This Act takes effect September 1, 2021.

SENATE VERSION (CS)

SECTION 1. This Act may be cited as Chelsea Maddux's Law.

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 3. Same as House version.

SECTION 4. Same as House version.

CONFERENCE