

## **BILL ANALYSIS**

H.B. 2067  
By: Cook  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Upon a final divorce decree a former spouse's undivided, jointly owned property ceases to be community property, and both former spouses become joint owners or tenants of the undivided property. There is a lack of clarity about court jurisdiction when a former spouse wants to partition the property that was not divided or awarded in the final decree. Current law needs to be updated to clarify that the court that rendered the final divorce decree and previously had jurisdiction in dividing the property has exclusive jurisdiction in cases brought regarding the remaining undivided property. H.B. 2067 makes this clarification.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2067 amends the Family Code to establish that a court that rendered a final decree of divorce or annulment or another final order dividing property after the legal dissolution of a marriage retains continuing, exclusive jurisdiction to render an order to divide property not divided or awarded to a spouse in the final decree. The bill applies to a suit that is pending in a trial court on the bill's effective date or that is filed on or after that date.

### **EFFECTIVE DATE**

September 1, 2023.