

BILL ANALYSIS

Senate Research Center
88R6679 MLH-F

H.B. 2268
By: Dutton (Hughes)
State Affairs
5/10/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 2268 amends current law relating to matters referred to an associate judge under the Family Code.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 201.005(a) and (d), Family Code, as follows:

(a) Authorizes a judge of a court, except as provided by Section 201.005 (Cases That May Be Referred), to refer to an associate judge any aspect of a suit or action, including any matter ancillary to the suit or action, over which the court has jurisdiction under:

(1)-(2) creates these subdivisions from existing text;

(3) Chapter 35 (Temporary Authorization for Care of Minor Child), 35A (Temporary Authorization for Inpatient Mental Health Services for Minor Child), or 45 (Change of Name);

(4) creates this subdivision from existing text;

(5) Subchapter A (Protective Order for Victims of Sexual Assault or Abuse, Indecent Assault, Stalking, or Trafficking), Chapter 7B, Code of Criminal Procedure; or

(6) Chapter 24A (Access to Residence or Former Residence to Retrieve Personal Property), Property Code.

Makes nonsubstantive changes.

(d) Requires that the requirements of certain subsections apply whenever a judge has authority to refer the trial of a suit or action described by Subsection (a), rather than a suit under this title, Title 1, Chapter 45, or Title 4, to an associate judge, master, or other assistant judge regardless of whether the assistant judge is appointed under Subchapter A (Associate Judge).

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2023.