88R7118 MLH-D

By:  Ramos H.B. No. 1923

A BILL TO BE ENTITLED

AN ACT

relating to videoconferencing with a child by the child's possessory conservator.

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

SECTION 1.  Section 153.015, Family Code, is amended by adding Subsection (f) to read as follows:

(f)  Any period of electronic communication awarded under this section is in addition to and may not be a substitute for the periods of videoconferencing to which a possessory conservator may be entitled under Section 153.016.

SECTION 2.  Subchapter A, Chapter 153, Family Code, is amended by adding Section 153.016 to read as follows:

Sec. 153.016.  VIDEOCONFERENCING WITH CHILD BY POSSESSORY CONSERVATOR. (a) Unless otherwise specified by an agreement between conservators and except as provided by Subsection (e), the court shall award the parent appointed as the child's possessory conservator under a standard possession order two periods of videoconferencing with the child each week on days other than Saturday or Sunday to supplement the possessory conservator's periods of possession of the child.

(b)  Unless otherwise specified by an agreement between conservators or as provided by Subsection (e), each period of videoconferencing awarded under this section must:

(1)  be at least 15 minutes and not more than 60 minutes in length; and

(2)  take place each Tuesday and Wednesday between 3:30 p.m. and 9:00 p.m.

(c)  To facilitate videoconferencing with a child under this section, each conservator of the child shall:

(1)  provide the other conservator with the e-mail address and other electronic communication access information of the child, including any information specific to the method of videoconferencing available to the child;

(2)  notify the other conservator of any change in the e-mail address or other electronic communication access information not later than 24 hours after the date the change takes effect; and

(3)  if necessary equipment and sufficient Internet access are reasonably available, accommodate videoconferencing with the child, with the same privacy, respect, and dignity accorded all other forms of access, at a reasonable time.

(d)  The court may not consider the availability of videoconferencing as a factor in determining child support.  The availability of videoconferencing under this section is not intended as a substitute for physical possession of or access to the child where otherwise appropriate.

(e)  In a suit in which the court's order contains provisions related to a finding of family violence in the suit, including supervised visitation, the court may restrict or deny periods of videoconferencing under this section.

SECTION 3.  The enactment of this Act does not constitute a material and substantial change of circumstances sufficient to warrant modification of a court order or portion of a decree that provides for the possession of or access to a child rendered before the effective date of this Act.

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

SECTION 5.  This Act takes effect September 1, 2023.