88R7990 AMF-D

By:  Manuel H.B. No. 2094

A BILL TO BE ENTITLED

AN ACT

relating to a court order for the exclusive occupancy of the residence by a spouse during the pendency of a suit for dissolution of a marriage.

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

SECTION 1.  Section 6.502, Family Code, is amended by adding Subsections (d) and (e) to read as follows:

(d)  While a suit for dissolution of a marriage is pending and on the motion of a party, the court shall render an appropriate order awarding the party exclusive occupancy of the residence during the pendency of the suit under Subsection (a)(6) if the adverse party has, during the pendency of the suit or in the three-year period preceding the date the suit was filed, been convicted of or placed on deferred adjudication community supervision for:

(1)  a felony offense under Title 5, Penal Code, for which the court has made an affirmative finding that the offense involved family violence under Article 42.013, Code of Criminal Procedure, that was committed against the party filing the motion or a member of that party's family or household; or

(2)  an offense under Section 25.11, Penal Code, committed against the party filing the motion or a member of that party's family or household.

(e)  In this section:

(1)  "Family" has the meaning assigned by Section 71.003.

(2)  "Household" has the meaning assigned by Section 71.005.

SECTION 2.  The change in law made by this Act applies to a suit for dissolution of a marriage 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 3.  This Act takes effect September 1, 2023.