

By: Ramos

H.B. No. 1923

A BILL TO BE ENTITLED

AN ACT

1
2 relating to videoconferencing with a child by the child's
3 possessory conservator.

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

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

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

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

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

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

24 (1) be at least 15 minutes and not more than 60 minutes

1 in length; and

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

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

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

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

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

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

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

27 SECTION 3. The enactment of this Act does not constitute a

1 material and substantial change of circumstances sufficient to
2 warrant modification of a court order or portion of a decree that
3 provides for the possession of or access to a child rendered before
4 the effective date of this Act.

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

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