

By: Paxton

S.B. No. 718

A BILL TO BE ENTITLED

AN ACT

relating to additional periods of possession of or access to a child to compensate for denial of court-ordered possession or access.

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

SECTION 1. Section 157.168, Family Code, is amended to read as follows:

Sec. 157.168. ADDITIONAL PERIODS OF POSSESSION OR ACCESS.

(a) Unless a party shows good cause why the order should not be rendered, a [A] court shall [~~may~~] order additional periods of possession of or access to a child to compensate for the denial of court-ordered possession or access, including when the denial resulted from an investigation by the Department of Family and Protective Services that did not result in a finding of abuse or neglect.

(a-1) The additional periods of possession or access:

(1) must be of the same type and duration of the possession or access that was denied;

(2) may include weekend, holiday, and summer possession or access; and

(3) must occur on or before the second anniversary of the date the court finds that court-ordered possession or access has been denied.

(b) The person denied possession or access is entitled to decide the time of the additional possession or access, subject to

1 the provisions of Subsection (a-1)(1) [~~(a)(1)~~].

2 SECTION 2. The enactment of this Act does not constitute a
3 material and substantial change of circumstances sufficient to
4 warrant modification of a court order or portion of a decree that
5 provides for the possession of or access to a child rendered before
6 the effective date of this Act.

7 SECTION 3. The change in law made by this Act applies only
8 to a suit affecting the parent-child relationship pending before a
9 trial court on or filed on or after the effective date of this Act.
10 A suit affecting the parent-child relationship in which a final
11 order is rendered before the effective date of this Act is governed
12 by the law in effect on the date the order was rendered, and the
13 former law is continued in effect for that purpose.

14 SECTION 4. This Act takes effect September 1, 2023.