

1-1 By: Paxton S.B. No. 718  
 1-2 (In the Senate - Filed February 6, 2023; March 1, 2023, read  
 1-3 first time and referred to Committee on State Affairs;  
 1-4 March 13, 2023, reported favorably by the following vote: Yeas 9,  
 1-5 Nays 0; March 13, 2023, sent to printer.)

1-6 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7  |     |     |        |     |
| 1-8  | X   |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 |     |     | X      |     |
| 1-12 | X   |     |        |     |
| 1-13 |     |     | X      |     |
| 1-14 | X   |     |        |     |
| 1-15 | X   |     |        |     |
| 1-16 | X   |     |        |     |
| 1-17 | X   |     |        |     |
| 1-18 | X   |     |        |     |

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to additional periods of possession of or access to a child  
 1-22 to compensate for denial of court-ordered possession or access.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 157.168, Family Code, is amended to read  
 1-25 as follows:

1-26 Sec. 157.168. ADDITIONAL PERIODS OF POSSESSION OR ACCESS.

1-27 (a) Unless a party shows good cause why the order should not be  
 1-28 rendered, a [A] court shall [may] order additional periods of  
 1-29 possession of or access to a child to compensate for the denial of  
 1-30 court-ordered possession or access, including when the denial  
 1-31 resulted from an investigation by the Department of Family and  
 1-32 Protective Services that did not result in a finding of abuse or  
 1-33 neglect.

1-34 (a-1) The additional periods of possession or access:

1-35 (1) must be of the same type and duration of the  
 1-36 possession or access that was denied;

1-37 (2) may include weekend, holiday, and summer  
 1-38 possession or access; and

1-39 (3) must occur on or before the second anniversary of  
 1-40 the date the court finds that court-ordered possession or access  
 1-41 has been denied.

1-42 (b) The person denied possession or access is entitled to  
 1-43 decide the time of the additional possession or access, subject to  
 1-44 the provisions of Subsection (a-1)(1) [~~(a)(1)~~].

1-45 SECTION 2. The enactment of this Act does not constitute a  
 1-46 material and substantial change of circumstances sufficient to  
 1-47 warrant modification of a court order or portion of a decree that  
 1-48 provides for the possession of or access to a child rendered before  
 1-49 the effective date of this Act.

1-50 SECTION 3. The change in law made by this Act applies only  
 1-51 to a suit affecting the parent-child relationship pending before a  
 1-52 trial court on or filed on or after the effective date of this Act.  
 1-53 A suit affecting the parent-child relationship in which a final  
 1-54 order is rendered before the effective date of this Act is governed  
 1-55 by the law in effect on the date the order was rendered, and the  
 1-56 former law is continued in effect for that purpose.

1-57 SECTION 4. This Act takes effect September 1, 2023.

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