

By: Hughes

S.B. No. 1690

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the conservatorship of a child by a parent who removes the child from this state for certain purposes relating to gender reassignment.

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

SECTION 1. Subchapter A, Chapter 153, Family Code, is amended by adding Section 153.0041 to read as follows:

Sec. 153.0041. GENDER REASSIGNMENT TREATMENT OR PROCEDURE.

(a) In this section, "gender reassignment treatment or procedure" means a medical treatment or procedure provided or performed for the purpose of altering an individual's primary or secondary sex characteristics. The term includes providing puberty-blocking drugs, providing cross-sex hormones, or performing genital or nongenital gender reassignment surgery.

(b) The court may not appoint a parent as conservator of a child if the parent removed the child from this state for the purpose of obtaining or seeking to obtain a gender reassignment treatment or procedure for the child and the parent requests a transfer of jurisdiction from this state.

(c) In an order appointing a conservator, the court shall include a notice of the potential consequences of removing a child from this state for the purpose of obtaining or seeking to obtain a gender reassignment treatment or procedure.

SECTION 2. Subchapter B, Chapter 156, Family Code, is

1 amended by adding Section 156.1042 to read as follows:

2 Sec. 156.1042. MODIFICATION OF ORDER ON CERTAIN GROUNDS
3 RELATING TO GENDER REASSIGNMENT TREATMENT OR PROCEDURE. (a) In
4 this section, "gender reassignment treatment or procedure" has the
5 meaning assigned by Section 153.0041.

6 (b) The removal of a child from this state by the child's
7 parent for the purpose of obtaining or seeking to obtain a gender
8 reassignment treatment or procedure for the child constitutes a
9 material and substantial change in circumstances sufficient to
10 justify a temporary order and modification of an existing court
11 order or portion of a decree that provides for the appointment of
12 the parent as the child's conservator.

13 SECTION 3. (a) Section 153.0041(b), Family Code, as added
14 by this Act, applies only to a removal of a child from this state by
15 the child's parent for the purpose described by that subsection
16 that occurs on or after the effective date of this Act.

17 (b) Section 153.0041(c), Family Code, as added by this Act,
18 applies only to an order rendered on or after the effective date of
19 this Act.

20 SECTION 4. Section 156.1042, Family Code, as added by this
21 Act, applies only to a suit for modification of an order providing
22 for the conservatorship of a child that is brought on the grounds
23 that, on or after the effective date of this Act, a parent removed
24 the parent's child from this state for the purpose described by that
25 section.

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