

BILL ANALYSIS

Senate Research Center
89R1104 PRL-F

H.B. 1916
By: Cook et al. (To Be Filed)
Jurisprudence
5/14/2025
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Upon a final divorce decree, property that remains jointly owned by former spouses is no longer considered community property. Instead, each spouse becomes a joint owner or tenant of the undivided property. There is, however, uncertainty about which court has jurisdiction when a former spouse seeks to partition property that was not addressed in the final decree.

H.B. 1916 would clarify that the court which issued the final divorce decree retains exclusive jurisdiction over any actions concerning the remaining undivided property.

H.B. 1916 amends current law relating to the jurisdiction of a court in a suit to divide certain property not divided or awarded on the dissolution of a marriage.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 9.201, Family Code, by adding Subsection (c), as follows:

(c) Provides that the court that rendered a final decree of divorce or annulment or another final order dividing property under Title 1 (The Marriage Relationship), notwithstanding any other provision of Chapter 9 (Post-Decree Proceedings), retains continuing, exclusive jurisdiction to render an order under Subchapter C (Post-Decree Division of Property) to divide property not divided or awarded to a spouse in the final decree.

SECTION 2. Provides that the change in law made by this Act applies to a suit to divide property not divided or awarded to a spouse in a final decree of divorce or annulment that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

SECTION 3. Effective date: September 1, 2025.