

BILL ANALYSIS

H.B. 1916
By: Cook
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Upon a final divorce decree, a former spouse's undivided, jointly owned property ceases to be community property, and both former spouses become joint owners or tenants of the undivided property. The bill author has informed the committee that there is a lack of clarity about court jurisdiction when a former spouse wants to partition the property that was not divided or awarded in the final decree and that current law needs to be updated to address this. H.B. 1916 seeks to do so by clarifying that the court that rendered the final divorce decree and previously had jurisdiction in dividing the property has exclusive jurisdiction in cases brought regarding the remaining undivided property.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1916 amends the Family Code to establish that a court that rendered a final decree of divorce or annulment or another final order dividing property after the legal dissolution of a marriage retains continuing, exclusive jurisdiction to render an order to divide property not divided or awarded to a spouse in the final decree. The bill applies to a suit that is pending in a trial court on the bill's effective date or that is filed on or after that date.

EFFECTIVE DATE

September 1, 2025.