

By: Hull, Orr, Slawson, Holt, Dutton

H.B. No. 3783

Substitute the following for H.B. No. 3783:

By: Leach

C.S.H.B. No. 3783

A BILL TO BE ENTITLED

AN ACT

relating to court-ordered counseling in certain suits affecting the parent-child relationship.

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

SECTION 1. Section 153.010, Family Code, is amended by amending Subsection (a) and adding Subsections (c) and (d) to read as follows:

(a) Subject to Subsections (c) and (d), if ~~if~~ the court finds at the time of a hearing that the parties have a history of conflict in resolving an issue of conservatorship or possession of or access to the child, the court may order a party to~~+~~

~~(1)~~ participate in counseling with a mental health professional who:

(1) ~~(A)~~ has a background in family therapy;

(2) ~~(B)~~ has a mental health license that requires as a minimum a master's degree; and

(3) ~~(C)~~ has training in the dynamics of family ~~domestic~~ violence if the court determines that the training is relevant to the type of counseling needed~~, and~~

~~(2) pay the cost of counseling~~.

(c) In determining whether to order a party to participate in counseling under Subsection (a), the court shall consider evidence of family violence or sexual abuse in accordance with Section 153.004. If credible evidence of family violence or sexual

1 abuse is presented, the court may not order counseling in which a
2 victim of the violence or abuse participates in counseling sessions
3 together with the perpetrator of the violence or abuse.

4 (d) A court may not order a party to participate in
5 counseling under Subsection (a) in which the person conducting the
6 counseling requires:

7 (1) the isolation of a child who is the subject of the
8 suit from the child's family, school, religious community, other
9 community, or other sources of support, including by prohibiting or
10 preventing the child from contacting a parent or other family
11 member;

12 (2) a child who is the subject of the suit to stay
13 overnight or for multiple days in an out-of-state location or other
14 location, regardless of whether the child is accompanied by a
15 parent or other family member;

16 (3) the transportation of a child who is the subject of
17 the suit to a location by force, threat of force, undue coercion, or
18 other action that places the child's safety at risk;

19 (4) a temporary or permanent change in the periods of
20 possession of or access to a child who is the subject of the suit to
21 which a conservator of the child would otherwise be entitled; or

22 (5) the use of force, threat of force, undue coercion,
23 or verbal abuse against a child who is the subject of the suit.

24 SECTION 2. Section [153.010](#), Family Code, as amended by this
25 Act, applies to a suit affecting the parent-child relationship that
26 is pending in a trial court on the effective date of this Act or that
27 is filed on or after the effective date of this Act.

1 SECTION 3. The change in law made by this Act to Section
2 153.010, Family Code, constitutes a material and substantial change
3 of circumstances sufficient to warrant modification of a court
4 order or portion of a decree that provides for the possession of or
5 access to a child rendered before the effective date of this Act.

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2025.