

By: Hull

H.B. No. 3783

A BILL TO BE ENTITLED

AN ACT

relating to court-ordered counseling in a suit affecting the parent-child relationship.

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

SECTION 1. Subchapter A, Chapter 153, Family Code, is amended by amending Sections 153.010 to read as follows:

Sec. 153.010. ORDER FOR FAMILY COUNSELING. (a) 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:

(A) has a background in family therapy;

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

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

(2) Shall consider the history of domestic violence or sexual abuse as outlined in Section 153.004 of the Texas Family Code in determining whether to order family counseling. If such evidence exists, the victim(s) of the abuse shall not be ordered to participate in any type of counseling with the offending party; and  
~~[pay the cost of counseling.]~~

1           (3) May not order any form of counseling that, as a  
2 condition of enrollment or participation, includes any of the  
3 following:

4                   (A) a no-contact order with the aligned parent or  
5 any family members;

6                   (B) an overnight, out-of-state, or multi-day  
7 stay for the child;

8                   (C) a transfer of physical or legal custody of  
9 the child;

10                   (D) the use of private transporters or private  
11 transportation agents who engage in the use of force, threats of  
12 force, physical obstruction, or any circumstances that place the  
13 safety of the child at risk; or

14                   (E) the use of threats of physical force, undue  
15 coercion, verbal abuse, or the isolation of the child from the  
16 child's family, community, education, religion or other sources of  
17 support.

18           (b) If a person possessing the requirements of Subsection  
19 (a)(1) is not available in the county in which the court presides,  
20 the court may appoint a person the court believes is qualified to  
21 conduct the counseling ordered under Subsection (a).

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

26           SECTION 3. The changes to Section 153.010, Family Code, as  
27 amended by this Act, constitutes a material and substantial change

1 of circumstances sufficient to warrant modification of a court  
2 order or portion of a decree that provides for the possession of or  
3 access to a child rendered before the effective date of this Act.

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