

BILL ANALYSIS

S.B. 950
By: Uresti
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties are concerned that a court does not have enough flexibility in a suit affecting a parent-child relationship to avoid the resolution of such a suit resulting in an individual with a history of child neglect or physical or sexual abuse having greater access to the child. S.B. 950 seeks to address this issue.

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

S.B. 950 amends the Family Code to include among the conditions that create a rebuttable presumption that it is not in the best interest of a child for a parent to have unsupervised visitation with the child that credible evidence is presented of a history or pattern of past or present child neglect or physical or sexual abuse by any person who resides in that parent's household or who by virtue of the person's relationship with that parent is otherwise likely to have unsupervised access to the child during that parent's periods of possession of or access to the child, directed against any person.

S.B. 950 includes among the circumstances under which a court may decline to enter a judgment on a mediated settlement agreement a finding that the agreement would permit a person who is subject to registration as a sex offender on the basis of an offense committed by the person when the person was 17 years of age or older or who otherwise has a history or pattern of past or present physical or sexual abuse directed against any person to reside in the same household as the child or otherwise have unsupervised access to the child.

EFFECTIVE DATE

September 1, 2015.