

BILL ANALYSIS

H.B. 868
By: Thompson, Senfronia
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, if a jury designates a parent to be a joint managing conservator, the jury may impose certain geographic restrictions. However, the statute is silent on a jury's ability to impose a geographic restriction on a sole managing conservator, resulting in the inconsistent use of the court's authority in imposing such a restriction. H.B. 868 seeks to clarify this issue by authorizing a jury to impose a geographic restriction when a parent has been designated a joint managing conservator or a sole managing conservator.

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. 868 amends the Family Code to establish that, in a suit affecting the parent-child relationship that involves a jury trial, the court may submit questions to the jury on the following issues relating to the rights and duties of a conservator:

- the determination of whether to impose a restriction on the geographic area in which a managing conservator may designate the child's primary residence; and
- the determination of that geographic area, if such a restriction is imposed.

The bill specifies that the designator of the child's primary residence may be a sole managing conservator instead of a joint managing conservator.

EFFECTIVE DATE

September 1, 2021.