

BILL ANALYSIS

Senate Research Center

C.S.S.B. 947
By: Patterson
Jurisprudence
3-25-97
Committee Report (Substituted)

DIGEST

Currently, when a parent is given custody of a child in a divorce proceeding, no finding is made as to which parent would be more likely to encourage the parent-child relationship. This bill will require the court to consider which parent would be more likely to allow the child frequent and continuing contact with the other parent and to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent when making certain decisions.

PURPOSE

As proposed, C.S.S.B. 947 requires the court to consider which parent would be more likely to allow the child frequent and continuing contact with the other parent and to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 153.136, Family Code, to require the court, if the court designates a primary physical residence for a child, to give preference to the residence of the parent who is more likely to allow the child frequent and continuing contact with the other parent and to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent.

SECTION 2. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

RELATING CLAUSE.

Deletes the proposed relating clause and replaces it with "relating to the designation of primary physical residence in an order of joint managing conservatorship."

SECTION 1.

Deletes the proposed SECTIONS 1 and 2, Sections 153.131 and 153.134, Family Code.

Adds Section 153.136, Family Code, to require the court to give preference to the residence of certain parents when designating the primary physical residence of a child.