

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1741
By: Harris
Jurisprudence
3/23/1999
Committee Report (Substituted)

DIGEST

Currently, a court may remove the disability of minority for a person less than 18 years old. But ambiguity exists concerning whether the Texas Supreme Court may adopt rules or orders for statewide applicability. C.S.S.B. 1741 would authorize the Texas Supreme Court to provide rules and orders of statewide applicability concerning rules of disabilities of a minority for a minor.

PURPOSE

As proposed, C.S.S.B. 1741 authorizes the Texas Supreme Court to provide rules and orders of statewide applicability concerning rules of disabilities of a minority for a minor.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Supreme Court in SECTION 1 (Section 31.005, Family Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 31.005, Family Court, to authorize the court, or the Texas Supreme Court, by rule or order, to remove the disabilities of minority of a minor, if the court or Supreme Court finds the removal to be in the best interest of the petitioner. Deletes authority given to the court to remove the disability of minority of a minor. Requires the order or rule to state the limited or general purpose for removing the disabilities.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 31.005, Family Code, to authorize a court, or the Texas Supreme Court, by rule or order, to remove the disabilities of minority of a minor.