

## **BILL ANALYSIS**

Senate Research Center  
78R10775 KSD-D

H.B. 1899  
By: Nixon (Nelson)  
Jurisprudence  
5/16/2003  
Engrossed

### **DIGEST AND PURPOSE**

H.B. 1899 creates new language in the Texas Family Code to ensure courts consider safeguards that may be needed to protect a child and the other parent from a risk of international abduction.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 153, Family Code, by adding Subchapter I, as follows:

#### **SUBCHAPTER I. PREVENTION OF INTERNATIONAL PARENTAL CHILD ABDUCTION**

Sec. 153.501. **NECESSITY OF MEASURES TO PREVENT INTERNATIONAL PARENTAL CHILD ABDUCTION.** (a) Requires the court, on its own motion or at the request of a party to the suit, to determine under this section whether it is necessary for the court to take one or more of the measures described by Section 153.503 to protect a child from the risk of abduction by the parent, in a suit, if credible evidence is presented to the court indicating a potential risk of the international abduction of a child by a parent of the child.

(b) Requires the court, in determining whether to take any of the measures described by Section 153.503, to consider certain factors.

Sec. 153.502. **ABDUCTION RISK FACTORS.** (a) Requires the court, to determine whether there is a risk of the international abduction of a child by a parent of the child, to consider certain evidence concerning the parent.

(b) Requires the court, if the court finds that there is credible evidence of a risk of abduction of the child by a parent of the child based on the court's consideration of the factors in Subsection (a), to also consider evidence regarding certain factors to evaluate the risk of international abduction of the child by a parent.

(c) Authorizes the court, if the court finds that there is credible evidence of a risk of abduction of the child by a parent of the child based on the court's consideration of the factors in Subsection (a), to also consider evidence regarding certain factors to evaluate the risk of international abduction of the child by a parent.

Sec. 153.503. **ABDUCTION PREVENTION MEASURES.** Authorizes the court, if the court finds that it is necessary under Section 153.501 to take measures to protect a child from international abduction by a parent of the child, to take certain actions.

SECTION 2. Provides that the changes in law made by this Act apply to a suit affecting the parent-child relationship pending in a trial court on the effective date of this Act or filed on or

after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2003.