

BILL ANALYSIS

Senate Research Center
79R131 JMM-F

H.B. 203
By: Goodman (Harris)
Jurisprudence
4/29/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, in a decree of divorce or annulment, the court must order a division of the estate of the parties in a manner that the court deems just and right, having due regard for the rights of each party and any children of the marriage. As prescribed in Chapter 7, Family Code, there are a number of different types of property that may be divided and disposed of in a divorce or annulment.

H.B. 203 adds the consideration of taxes in the division of property to be divided and disposed of upon a divorce or annulment.

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 7, Family Code, by adding Section 7.008, as follows:

Sec. 7.008. CONSIDERATION OF TAXES. Authorizes the court, in ordering the division of the estate of the parties to a suit for dissolution of a marriage, to consider whether a specific asset will be subject to taxation and, if the asset will be subject to taxation, when the tax will be required to be paid.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.