

BILL ANALYSIS

Senate Research Center
87R10561 EAS-D

H.B. 3203
By: Dutton (Hughes)
State Affairs
5/19/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 153.317(a) of the Texas Family Code allows possessory conservators the option to elect alternate beginning and ending visitation times. Oftentimes, weekend periods of possession can be extended by student holidays and/or teacher in-service days. These holidays and in-service days frequently fall on a Monday. H.B. 3203 is designed to allow weekend visitation to be extended to Tuesday at 8 a.m. when a student holiday or teacher in-service day falls on a Monday.

H.B. 3203 amends current law relating to alternative times of possession under a standard possession order in a suit affecting the parent-child relationship.

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 Section 153.317(a), Family Code, as follows:

(a) Requires the court, if elected by a conservator, to alter the standard possession order under Sections 153.312 (Parents Who Reside 100 Miles or Less Apart), 153.314 (Holiday Possession Unaffected by Distance Parents Reside Apart), and 153.315 (Weekend Possession Extended by Holiday) to provide for one or more of certain alternative beginning and ending possession times for the described periods of possession, unless the court finds that the election is not in the best interest of the child, including, among other times, for weekend periods of possession that are extended under Section 153.315(a) by a student holiday or teacher in-service day that falls on a Monday, ending at 8 a.m. Tuesday. Makes nonsubstantive changes.

SECTION 2. Provides that the enactment of this Act does not constitute a material and substantial change of circumstances sufficient to warrant modification of a court order or portion of a decree that provides for the possession of or access to a child rendered before the effective date of this Act.

SECTION 3. Provides that the change in law made by this Act applies to a suit affecting the parent-child relationship that is pending in a trial court on the effective date of this Act or that is filed on or after the effective date of this Act.

SECTION 4. Effective date: September 1, 2021.