

## **BILL ANALYSIS**

C.S.H.B. 4086  
By: Muñoz, Jr.  
Juvenile Justice & Family Issues  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, a party to a suit affecting the parent-child relationship may request a de novo hearing before the referring court under certain circumstances. C.S.H.B. 4086 seeks to amend the law relating to those circumstances.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 4086 amends the Family Code to authorize a party to a suit affecting the parent-child relationship to request a de novo hearing concerning a temporary order by an associate judge before the referring court by filing with the clerk of the referring court a written request not later than the third working day after the date the party receives notice of the rendering of the temporary order.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 4086 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### **INTRODUCED**

SECTION 1. Section 201.015, Family Code, is amended to read as follows:  
Sec. 201.015. DE NOVO HEARING BEFORE REFERRING COURT. (a) A party may request a de novo hearing before the referring court by filing with the clerk of the referring court a written

#### **HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. Section 201.015(a), Family Code, is amended to read as follows:  
(a) A party may request a de novo hearing before the referring court by filing with the clerk of the referring court a written request not later than the third working day after the

request not later than the third working day after the date the party receives notice of the substance of the associate judge's report, and/or temporary orders, as provided by Section 201.011.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

date the party receives notice of:

- (1) the substance of the associate judge's report as provided by Section 201.011; or
- (2) the rendering of the temporary order, if the request concerns a temporary order rendered by an associate judge under Section 201.007(a)(14)(C).

SECTION 2. Same as introduced version.