

BILL ANALYSIS

H.B. 3203
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Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law provides for standard court orders for possession of or access to a child in a suit affecting the parent-child relationship and allows for a conservator to elect one of several options to increase the conservator's time with a child in addition to the standard basic time allotted. Those options include certain weekend periods of possession that can be extended by a student holiday or teacher in-service day that falls on a Friday, allowing for the beginning of the possession period to begin instead on the preceding Thursday at the time the child's school is dismissed. However, when teacher in-service days or student holidays are scheduled for more than a week at a time, some custodial parents have raised concerns about when their child should be returned to them. H.B. 3203 seeks to address these concerns and bring more clarity by providing for alternative times of weekend possession periods that are extended by a student holiday or teacher in-service day that falls on a Monday, ending at 8 a.m. Tuesday.

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

H.B. 3203 amends the Family Code to require a court to alter the standard possession order for parents who reside 100 miles or less apart, for a weekend possession extended by a holiday, and for a holiday possession unaffected by distance to provide for increased times of possession for a conservator as a result of a conservator's election of one or more alternative beginning and ending possession times for that conservator's weekend periods of possession that are extended by a student holiday or teacher in-service day that falls on a Monday, ending at 8 a.m. Tuesday.

H.B. 3203 establishes that its enactment 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 bill's effective date.

EFFECTIVE DATE

September 1, 2021.