

SUBJECT: Requiring pickup, drop-off locations in some standard possession orders

COMMITTEE: Juvenile Justice and Family Issues — favorable, without amendment

VOTE: 9 ayes — Dutton, Murr, Bowers, Calanni, Cyrier, Dean, Lopez, Shine, Talarico

0 nays

WITNESSES: For — Wendy Burgower, Texas Family Law Foundation; (*Registered, but did not testify*: Amy Bresnen, Texas Family Law Foundation)

Against — None

BACKGROUND: Family Code sec. 153.312 governs the standard possession orders for parents of a child who live 100 miles or less apart. Under this statute, possessory conservators may specify a period or periods of summer possession, subject to certain requirements, during which time the child will live with that parent or guardian. A managing conservator may have possession of the child during one weekend of the possessory conservator's summer possession if certain conditions are met. For the designated weekend, the managing conservator is required to pick the child up and return the child to the same place at set times.

It has been noted that confusion can arise because current law does not require the disclosure of where, specifically, the child should be picked up and dropped off by the managing conservator for the described weekend.

DIGEST: HB 553 would require the possessory conservator of a child under a standard possession order in which the parents lived 100 miles or less apart to give the managing conservator of the child written notice of the location at which the managing conservator would be required to pick up and return the child for a certain designated weekend during the summer.

The possessory conservator would have to give this notice at least 15 days before the Friday beginning the weekend in which the managing

conservator had possession.

The bill would take effect September 1, 2019, and apply only to court orders providing for possession of or access to a child rendered on or after that date.