

BILL ANALYSIS

Senate Research Center
76R2753 MCK-D

H.B. 1337
By: Uresti (Madla)
Jurisprudence
5/12/1999
Engrossed

DIGEST

Currently, a county in a suit for child custody is required to consider any evidence of intentional use of violence by a party against the party's spouse. Some courts have interpreted the statute to limit consideration of physical abuse to married parents only and have declined to address domestic violence between unmarried parents. H.B. 1337 would require a court to consider domestic violence between unmarried parents.

PURPOSE

As proposed, H.B. 1337 requires a court to consider certain domestic violence situations in the appointment of a managing conservator for a child.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 153.004(a), Family Code, by require a court to consider abusive physical force by a party against a parent of the child committed within a two-year period preceding the filing of the suit or during the pendency of the suit.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.