

BILL ANALYSIS

Senate Research Center
76R2150 CMR-F

H.B. 2439
By: Goodman (Harris)
Jurisprudence
4/29/1999
Engrossed

DIGEST

Currently, a court may modify an order designating a sole managing conservator if a parent requests appointment as a joint managing conservator. The court must find, however, that the retention of a sole managing conservatorship would be detrimental to the welfare of the child. H.B. 2439 would remove the requirement that the court make the finding before modifying the order.

PURPOSE

As proposed, H.B. 2439 removes a requirement in designating a sole 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 156.104(a), Family Code, to delete a requirement that a court find that the retention of a sole managing conservatorship would be detrimental to the welfare of the child, prior to permitting a modified order for designating a sole managing conservator. Makes conforming changes.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.