

## **BILL ANALYSIS**

Senate Research Center  
76R12226 MCK-D

H.B. 2990  
By: Davis, John (Harris)  
Jurisprudence  
5/13/1999  
Engrossed

### **DIGEST**

Currently, makeup visitation, which is awarded by a judge based upon a previous violation of court ordered possession of or access to a child, must be made up within a one-year period. In some cases, such as making up Christmas or another holiday, it may be that the non-custodial parent had already been granted the following holiday. As a result, the visitation could not be made up because the next holiday was more than one year after the denied possession. In addition, the denied visitation may be difficult to make up within one year without giving exclusive possession of the child to the noncustodial parent, which judges may not be willing to do. H.B. 2990 provides that additional periods of possession of or access to a child must be made up within a two-year period, rather than a one-year period.

### **PURPOSE**

As proposed, H.B. 2990 provides that additional periods of possession of or access to a child must be made up within a two-year period, rather than a one-year period for court ordered possession of 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 157.168(a), Family Code, to provide that additional periods of possession of or access to a child granted as compensation for the denial of court-ordered possession or access must occur on or before the second, rather than the first, anniversary of the date the court finds such a denial has occurred.

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

SECTION 3. Emergency clause