

## **BILL ANALYSIS**

Senate Research Center  
76R8877 CMR-D

S.B. 1192  
By: Harris  
Jurisprudence  
3/18/1999  
As Filed

### **DIGEST**

Currently, Chapter 42, Family Code, which provides civil penalties for absconding with a child, requires a 31-day period between the time an absconding parent is served with notice of intent to sue, and the actual suit. A negative result of this requirement is that the absconding parent may simply avoid service the second time by disappearing, and potentially kidnaping the child. S.B. 1192 repeals the notice requirement.

### **PURPOSE**

As proposed, S.B. 1192 deletes a defendant's affirmative defense, and repeals a law regarding notice in certain suits regarding interference with 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 42.007, Family Code, to delete a defendant's affirmative defense regarding compliance subsequent to notification of a violation.

SECTION 2. Repealer: Section 42.004, Family Code (Notice).

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

SECTION 4. Emergency clause.