

BILL ANALYSIS

Senate Research Center

S.B. 1394
By: Brown
Jurisprudence
4/20/1999
Committee Report (Amended)

DIGEST

Currently, it is common for possession orders not to include specific provisions regarding access to a child over the telephone. S.B. 1394 requires a child's possessory conservator to have access to the child through weekly telephone conversations.

PURPOSE

As proposed, S.B. 1394 requires a child's possessory conservator to have access to the child through weekly telephone conversations.

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 Chapter 153F, Family Code, by adding Section 153.318, as follows:

Sec. 153.318. TELEPHONE ACCESS. Requires the court to include in the possession order that the conservator shall have access to the child on the telephone during a specified time each week, on the request of a joint managing conservator or possessory conservator. Sets forth required specifics of the telephone access. Requires the court to order the child's managing conservator to have a telephone answering device or service, in addition to the weekly telephone access, unless the managing conservator providing for the primary residence for the child can show that this requirement would cause undue financial hardship.

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

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 153.318, Family Code, to clarify the entities who are charged with certain responsibilities regarding access to a child.