

BILL ANALYSIS

Senate Research Center
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S.B. 769
By: Harris
Jurisprudence
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DIGEST AND PURPOSE

Currently, when a court issues an order regarding custody of a child, the non-custodial parent does not have to be informed of the parent's right to file for modification of that order. As proposed, S.B. 769 requires a court to notify a parent of the right to modify an order and the grounds for the modification.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 105.006(f)-(h), Family Code, to require an order in a suit that provides for the possession of or access to a child, including an order providing for the modification of possession or access, to contain a notice informing the parent of a child with whom the child does not primarily reside under the order of the parent's right to file for modification of the terms of possession or access for a reason stated in Section 156.301. Provides that the notice required under this subsection must contain the grounds for modification listed in Section 156.301 in a prominently displayed statement that is in boldfaced type, capital letters, or underlined and must be specifically worded.

SECTION 2. Amends Section 231.003, Family Code, to require the Title IV-D agency to provide that forms used in providing services to members of the public must contain a notice informing the parents of a child of the right to modify the terms of a court order providing for the possession of or access to a child. Requires the notice to contain the information and be provided in the manner required by Section 105.006(f).

SECTION 3. Effective date: September 1, 2001.
Makes application of this Act prospective.