

BILL ANALYSIS

Senate Research Center
80R8354 KKA-D

H.B. 1864
By: Gonzales (Hinojosa)
Jurisprudence
5/11/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a standard possession order in Texas allows a possessory conservator visitation on the first, third, and fifth weekend of each month. Additionally, the possessory conservator is permitted a 30-day visitation period during the summer. However, the Family Code does not explicitly state that the weekend visitation resumes once the 30-day visitation period is over.

H.B. 1864 amends the Family Code to clarify the intent of a standard possession order and to allow for visitation on the first, third, and fifth weekend of each month to resume upon completion of the 30-day visitation period.

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 153.312(a), Family Code, to require a possessory conservator who resides 100 miles or less from the primary residence of the child to have the right to possession of the child on certain weekends throughout the year. Provides the exception that, at the possessory conservator's election made before or at the time of the rendition of the original or modification order, the weekend periods of possession specified by this subdivision that occur during the regular school term are required to begin and end at a certain time.

SECTION 2. Effective date: upon passage or September 1, 2007.