

BILL ANALYSIS

Senate Research Center
81R1006 JSC-D

S.B. 24
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Jurisprudence
4/13/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

As proposed, S.B. 24 eliminates the 60-day waiting period before a divorce is granted in cases where the respondent has been convicted of an offense in which assault or threats against the petitioner were made.

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 6.702, Family Code, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Creates an exception under Subsection (c).

(c) Provides that a waiting period is not required under Subsection (a) before a court is authorized to grant a divorce in a suit in which the respondent has been finally convicted of an offense an element of which included assaulting or threatening the petitioner; or there is evidence sufficient for the court to find that the respondent committed family violence during the marriage, including evidence that a temporary order has been issued against the respondent under Subchapter F (Temporary Orders); or the petitioner has obtained a protective order under Title 4 (Protective Orders and Family Violence) against the respondent because of family violence.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2009.