

## **BILL ANALYSIS**

Senate Research Center  
86R8251 MM-F

H.B. 2514  
By: Martinez (Zaffirini)  
State Affairs  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Due to a shortage of qualified persons who can perform a child custody evaluation in rural counties, current law allows for a court in county with a population of less than 500,000 to appoint a person who does not meet the statutory qualifications but the court determines is otherwise qualified. Certain counties in the Rio Grande Valley may exceed this population cap in the next census yet still face this challenge.

H.B. 2514 would expand the exception to include counties in the Rio Grande Valley. This would allow these courts to continue functioning expeditiously despite the shortage of persons who meet the statutory minimum qualifications.

H.B. 2514 amends current law relating to the appointment of an individual qualified to conduct a child custody evaluation.

### **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 107.106, Family Code, by amending Subsection (a) and adding Subsection (a-1), as follows:

(a) Provides that this section (Exception to Qualifications Required to Conduct Child Custody Evaluation) applies only to a county:

- (1) with a population of less than 500,000;
- (2) that is contiguous to the Gulf of Mexico or a bay or inlet opening into the gulf and that borders the United Mexican States; or
- (3) that borders a county described by Subdivision (2).

(a-1) Creates this subsection from existing text. Authorizes the court, in a county to which this section applies, rather than in a county with a population of 500,000, if a court finds that an individual who meets the requirements of Section 107.104 (Child Custody Evaluator: Minimum Qualifications) is not available in the county to conduct a child custody evaluation in a timely manner, the court, after notice and hearing or on agreement of the parties, to appoint an individual the court determines to be otherwise qualified to conduct the evaluation.

SECTION 2. Effective date: September 1, 2019.