

BILL ANALYSIS

Senate Research Center
86R882 KSD-F

H.B. 553
By: Thompson, Senfronia (Rodríguez)
State Affairs
5/6/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, the possessory conservator may designate a 30-day period during the summer when he/she will have "extended summer visitation" with the child(ren). The managing conservator may designate one weekend when the managing conservator can have visitation time with the child(ren) during the possessory conservator's previously-designated 30-day period of "extended summer visitation." For the managing conservator to exercise this weekend with the child(ren), the managing conservator must pick up from and return the child to the possessory conservator in the location where the possessory conservator/children will be during the selected weekend.

H.B. 553 amends the Family Code to require the possessory conservator to give 15 days prior written notice to the managing conservator of the location at which the managing conservator will need to pick up and return the child(ren) for this weekend period of possession. H.B. 553 is intended to provide clarity on the actual location where the managing conservator is to pick up and return the child(ren), reduce "emergency" litigation to determine the proper location for pick-up and drop off during this weekend, and avoid unnecessary conflict between the conservators.

H.B. 553 amends current law relating to notice regarding summer weekend possession of a child under a standard possession order in a suit affecting the parent-child relationship.

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, Family Code, by adding Subsection (c) to require the possessory conservator, notwithstanding Section 153.316 (General Terms and Conditions), after receiving notice from the managing conservator under Subsection (b)(3) (relating to requiring the possessory conservator and the managing conservator to have rights of possession of the child if the managing conservator gives the possessory conservator written notice by a certain date) of this section (Parents Who Reside 100 Miles or Less Apart) designating the summer weekend during which the managing conservator is to have possession of the child, not later than the 15th day before the Friday that begins that designated weekend, to give the managing conservator written notice of the location at which the managing conservator is to pick up and return the child.

SECTION 2. Makes application of Section 153.312(c), Family Code, as added by this Act, prospective.

SECTION 3. Effective date: September 1, 2019.