

By: Lucio III

H.B. No. 1365

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the time in which to request a de novo hearing following
3 a ruling by an associate judge in certain family or juvenile law
4 cases.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Sections 201.015(a) and (e), Family Code, are
7 amended to read as follows:

8 (a) A party may request a de novo hearing before the
9 referring court by filing with the clerk of the referring court a
10 written request not later than the third [~~seventh~~] working day
11 after the date the party receives notice of the substance of the
12 associate judge's report as provided by Section 201.011.

13 (e) If a request for a de novo hearing before the referring
14 court is filed by a party, any other party may file a request for a
15 de novo hearing before the referring court not later than the third
16 [~~seventh~~] working day after the date the initial request was filed.

17 SECTION 2. Section 201.1042(b), Family Code, is amended to
18 read as follows:

19 (b) The party requesting a de novo hearing before the
20 referring court shall file notice with the clerk of the referring
21 court not later than the third [~~seventh~~] working day after the date
22 the associate judge signs the proposed order or judgment.

23 SECTION 3. Sections 201.317(a) and (d), Family Code, are
24 amended to read as follows:

1 (a) A party may request a de novo hearing before the
2 referring court by filing with the clerk of the referring court a
3 written request not later than the third [~~seventh~~] working day
4 after the date the party receives notice of the substance of the
5 associate judge's report as provided by Section 201.313.

6 (d) If a request for a de novo hearing before the referring
7 court is filed by a party, any other party may file a request for a
8 de novo hearing before the referring court not later than the third
9 [~~seventh~~] working day after the date the initial request was filed.

10 SECTION 4. The changes in law made by this Act apply only to
11 a request for a de novo hearing in a case referred to an associate
12 judge under Chapter 201, Family Code, on or after the effective date
13 of this Act. A request for a de novo hearing in a case referred to
14 an associate judge before the effective date of this Act is governed
15 by the law in effect on the date the case was referred, and the
16 former law is continued in effect for that purpose.

17 SECTION 5. This Act takes effect September 1, 2013.