

1-1 By: Thompson of Harris (Senate Sponsor - Rodríguez) H.B. No. 1495
1-2 (In the Senate - Received from the House April 18, 2017;
1-3 April 24, 2017, read first time and referred to Committee on State
1-4 Affairs; May 1, 2017, reported favorably by the following vote:
1-5 Yeas 7, Nays 0; May 1, 2017, sent to printer.)

1-6	COMMITTEE VOTE				
1-7		Yea	Nay	Absent	PNV
1-8	Huffman	X			
1-9	Hughes	X			
1-10	Birdwell	X			
1-11	Creighton	X			
1-12	Estes			X	
1-13	Lucio	X			
1-14	Nelson			X	
1-15	Schwertner	X			
1-16	Zaffirini	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the rendition of certain temporary orders during the
1-20 pendency of a suit for modification of an order that provides for
1-21 the conservatorship, support, or possession of or access to a
1-22 child.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-24 SECTION 1. Section 156.006(b), Family Code, is amended to
1-25 read as follows:

1-26 (b) While a suit for modification is pending, the court may
1-27 not render a temporary order that has the effect of creating a
1-28 designation, or changing the designation, of the person who has the
1-29 exclusive right to designate the primary residence of the child, or
1-30 the effect of creating a geographic area, or changing or
1-31 eliminating the geographic area, within which a conservator must
1-32 maintain the child's primary residence, under the final order
1-33 unless the temporary order is in the best interest of the child and:

1-34 (1) the order is necessary because the child's present
1-35 circumstances would significantly impair the child's physical
1-36 health or emotional development;

1-37 (2) the person designated in the final order has
1-38 voluntarily relinquished the primary care and possession of the
1-39 child for more than six months; or

1-40 (3) the child is 12 years of age or older and has
1-41 expressed to the court in chambers as provided by Section 153.009
1-42 the name of the person who is the child's preference to have the
1-43 exclusive right to designate the primary residence of the child.

1-44 SECTION 2. The change in law made by this Act applies only
1-45 to a suit for modification pending before a trial court on or filed
1-46 on or after the effective date of this Act.

1-47 SECTION 3. This Act takes effect September 1, 2017.

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