

1-1 By: Cook, et al. (Senate Sponsor - Hughes) H.B. No. 851
1-2 (In the Senate - Received from the House April 21, 2021;
1-3 May 10, 2021, read first time and referred to Committee on State
1-4 Affairs; May 14, 2021, reported favorably by the following vote:
1-5 Yeas 9, Nays 0; May 14, 2021, sent to printer.)

1-6 COMMITTEE VOTE

1-7		Yea	Nay	Absent	PNV
1-8	Hughes	X			
1-9	Birdwell	X			
1-10	Campbell	X			
1-11	Hall	X			
1-12	Lucio	X			
1-13	Nelson	X			
1-14	Powell	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 admission by a party of a material and substantial
1-20 change of circumstances in a motion to modify an order in certain
1-21 family law cases.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 8.057, Family Code, is amended by adding
1-24 Subsection (c-1) to read as follows:

1-25 (c-1) A party who files a motion to modify maintenance based
1-26 on a material and substantial change of circumstances may not be
1-27 considered on that basis alone to have admitted a material and
1-28 substantial change of circumstances regarding any other matter.

1-29 SECTION 2. Subchapter A, Chapter 156, Family Code, is
1-30 amended by adding Section 156.007 to read as follows:

1-31 Sec. 156.007. CERTAIN FILINGS NOT ADMISSIONS. A party who
1-32 files a motion to modify an order that provides for the appointment
1-33 of a conservator of a child, provides the terms and conditions of
1-34 conservatorship, provides for the possession of or access to a
1-35 child, or provides for the support of a child based on a material
1-36 and substantial change of circumstances may not be considered on
1-37 that basis alone to have admitted a material and substantial change
1-38 of circumstances regarding any other matter.

1-39 SECTION 3. The changes in law made by this Act apply only to
1-40 a motion to modify that is filed on or after the effective date of
1-41 this Act. A motion to modify filed before that date is governed by
1-42 the law in effect on the date the motion was filed, and that law is
1-43 continued in effect for that purpose.

1-44 SECTION 4. This Act takes effect September 1, 2021.

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