

BILL ANALYSIS

Senate Research Center

S.B. 348
By: Harris
Jurisprudence
2-7-97
As Filed

DIGEST

Currently, the law provides that costs be awarded in the same manner as other civil cases. However, in suits affecting the parent-child relationship it is seldom possible to tell who is the prevailing party, especially given the recent movement toward greater involvement by both parents. This bill eliminates the requirement that award of cost must be in the manner as other civil suits, and to allow the court to award costs in the manner in which the court sees fit.

PURPOSE

As proposed, S.B. 348 changes the way certain costs are paid in family law cases.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 106.001, Family Code, to delete a provision authorizing the court to award costs in the same manner as in other civil cases in a suit under this title and a habeas corpus proceeding.

SECTION 2. Amends Section 106.002(a), Family Code, to make a nonsubstantive change.

SECTION 3. Amends Section 152.007(g), Family Code, to delete a provision that payment is to be made to the clerk of the court for remittance to the proper party.

SECTION 4. Effective date: September 1, 1997.
Makes application of this Act retroactive.

SECTION 5. Emergency clause.