

BILL ANALYSIS

Senate Research Center

S.B. 947
By: Patterson
Jurisprudence
3-14-97
As Filed

DIGEST

Currently, when a parent is given custody of a child in a divorce proceeding, no finding is made as to which parent would be more likely to encourage the parent-child relationship. This bill will require the court to consider which parent would be more likely to allow the child frequent and continuing contact with the other parent and to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent when making certain decisions.

PURPOSE

As proposed, S.B. 947 requires the court to consider which parent would be more likely to allow the child frequent and continuing contact with the other parent and to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent.

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 153.131, Family Code, by adding Subsection (c), to require the court, if the court determines that a parent should be appointed sole managing conservator of the child, to give preference to the parent the court determines to be more likely to allow the child frequent and continuing contact with the other parent and to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent.

SECTION 2. Amends Section 153.134, Family Code, by adding Subsection (c), to require the court, in determining which parent to designate as the conservator who has the exclusive right to determine the primary residence of the child, to give preference to the parent the court determines to be more likely to allow the child frequent and continuing contact with the other parent and to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent.

SECTION 3. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 4. Emergency clause.