

## **BILL ANALYSIS**

Senate Research Center  
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H.B. 2381  
By: Thompson (West)  
Jurisprudence  
4/25/2001  
Engrossed

### **DIGEST AND PURPOSE**

Under current law, a trial or an appellate court is authorized to suspend a judgment involving the parent-child relationship. Because there is no express limitation, these provisions appear to authorize the suspension of such a judgment even in a suit brought by the state or an authorized political subdivision. This situation can lead to questions regarding a child's placement and protection in the event of a suspension. As proposed, H.B. 2381 prohibits a trial or an appellate court from suspending a judgment that terminates the parent-child relationship in a suit brought by the state or an authorized political subdivision of the state and requires an appeal involving a termination of the parent-child relationship to be accelerated.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 109.001, Family Code, by adding Subsection (d), as follows:

(d) Prohibits the court from suspending under this section the operation of an order or judgment terminating the parent-child relationship in a suit brought by the state or a political subdivision of the state permitted by law to bring the suit.

SECTION 2. Amends Sections 109.002(a) and (c), Family Code, to require an appeal in a suit in which termination of the parent-child relationship is in issue to be accelerated by the appellate courts. Provides that the procedures for an accelerated appeal under the Texas Rules of Appellate Procedure apply to an appeal in which the termination of the parent-child relationship is in issue. Authorizes the appellate court, on a proper showing, to permit the order to be suspended, unless the order provides for the termination of the parent-child relationship in a suit brought by the state or a political subdivision of the state permitted by law to bring the suit.

SECTION 3. Effective date: September 1, 2001.  
Makes application of this Act prospective.