

BILL ANALYSIS

Senate Research Center
77R8560 KLA-D

H.B. 2788
By: Solomons (Duncan)
Jurisprudence
5/7/2001
Engrossed

DIGEST AND PURPOSE

Current law governing suits affecting the parent-child relationship provides that there is a district court of continuing jurisdiction. When a new court is established, cases are often transferred to that court from other district courts. H.B. 2788 clarifies current law to provide that a new district court to which cases are transferred has continuing exclusive jurisdiction in any case sent to the new court, including suits affecting the parent-child relationship.

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 Chapter 24A, Government Code, by adding Section 24.022, as follows:

Sec. 24.022. EFFECT OF TRANSFER OF CERTAIN CASES FOLLOWING CREATION OF ADDITIONAL COURT. Authorizes an existing district court in a county, on the creation of an additional district court in the county, to transfer to the new court a case regarding a child who is subject to the continuing exclusive jurisdiction of the existing court under Title 5 (The Parent-Child Relationship and the Suit Affecting the Parent-Child Relationship), Family Code, regardless of whether the case is pending in the existing court or the existing court rendered a final order in the case. Provides that the district court to which the case is transferred under this section acquires continuing exclusive jurisdiction under Title 5, Family Code, over the child.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2001.