

BILL ANALYSIS

Senate Research Center

H.B. 2441
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Jurisprudence
5/13/1999
Committee Report (Amended)

DIGEST

Currently, courts have the authority to order parties in a suit for dissolution of a marriage to participate in parenting courses if the parties have children. H.B. 2441 would establish the requirement that parents participate in a parenting course and counseling in certain suits involving children.

PURPOSE

As proposed, H.B. 2441 establishes the requirement that parents participate in a parenting course and counseling in certain suits involving children.

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 Chapter 105, Family Code, by adding Section 105.009, as follows:

Sec. 105.009. PARENT EDUCATION AND FAMILY STABILIZATION COURSE. (a) Authorizes the court, in a suit affecting the parent-child relationship, to order the parties to the suit to attend a parent education and family stabilization course if the court determines that the order is in the best interest of the child.

(b) Prohibits the parties to the suit from being required to attend the course together. Authorizes the court to prohibit the parties from taking the course together if there is a history of family violence in the marriage.

(c) Requires a course to be at least four hours, but not more than twelve hours, in length and be designed to educate and assist parents with regard to the consequences of divorce on parents and children. Sets forth information required to be included in the course.

(d) Prohibits a course from being designed to provide individual mental health therapy or individual legal advice.

(e) Provides that a course satisfies the requirements of this section if it is offered by certain individuals.

(f) Prohibits information obtained in a course or a statement made by a participant to a suit during a course from being considered in the adjudication of the suit or in any subsequent legal proceeding. Prohibits any report that results from course participation from becoming a record in the suit unless the parties stipulate to the record in writing.

(g) Authorizes the court to take appropriate action with regard to a party who fails to attend or complete a course ordered by the court. Prohibits the failure or refusal by a party to attend or complete a course required by this section from delaying the court from rendering a judgment in a suit affecting the parent-child relationship.

(h) Sets forth various options by which the course required under this section may be completed.

(i) Requires the course provider, upon completion of the course, to issue a certificate of

completion to each participant. Sets forth information the certificate must state.

(j) Authorizes the clerk of the county court to establish a registry of course providers in the county and a list of locations at which courses are provided. Requires the clerk to include information in the registry identifying courses that are offered on a sliding fee scale or without charge.

(k) Prohibits the court from ordering the parties to a suit to attend a course if the parties cannot afford to take the course. Authorizes the court to direct the parties to a course that is offered on a sliding fee scale or without charge, if the parties cannot afford the course and if the course of that type is available. Prohibits a party to a suit from being required to pay more than \$100 to attend an ordered course.

(l) Prohibits a person who has attended a course from being required to attend the course more than twice before the fifth anniversary of the date the person completes the course for the first time.

SECTION 2. Amends Section 157.211, Family Code, to include as a term and condition of community supervision the requirement that the respondent obtain counseling on financial planning, budget management, conflict resolution, parenting skills, alcohol or drug abuse, or certain other matters.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.