

SECTION REPORT

FAMILY LAW

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LEGISLATIVE REPORT

2023

The editor wishes to express her great appreciation to Warren Cole and the Honorable Judy K. Warne for providing the information contained in this report.

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(as of June 16, 2023)

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THIS COMPILATION OF NEW LEGISLATION INCLUDES ONLY THOSE STATUTES AFFECTING TITLES 1, 2, 4, 5, AND NEWLY ADDED 6 OF THE TEXAS FAMILY CODE. ALSO INCLUDED ARE SOME REVISIONS TO OTHER STATUTES THAT MAY HAVE AN EFFECT ON FAMILY LAW. THERE WERE ALSO AMENDMENTS TO STATUTES INVOLVING THE TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES (TDFPS) M-D PROCEEDING, ALL OF WHICH ARE NOT INCLUDED IN THIS WRITING.

FAMILY CODE

TITLE 1. THE MARRIAGE RELATIONSHIP

SUBTITLE A. MARRIAGE

CHAPTER 2. THE MARRIAGE RELATIONSHIP

SUBCHAPTER A. Application for Marriage License

§ 2.005(b). Proof of Identity and Age--AMENDED.

(18) ~~[a temporary driving permit or]~~ a temporary identification card issued by the Department of Public Safety;

....

Source: HB 4528

Eff. Date: 9/1/2023

SUBCHAPTER C. Ceremony and Return of License

§ 2.202. Persons Authorized to Conduct Ceremony—AMENDED

(a) The following persons are authorized to conduct a marriage ceremony:

- (1) a licensed or ordained Christian minister or priest;
- (2) a Jewish rabbi;
- (3) a person who is an officer of a religious organization and who is authorized by the organization to conduct a marriage ceremony; and
- (4) a current, former, or retired federal judge or state judge ~~[justice of the supreme court, judge of the court of criminal appeals, justice of the courts of appeals, judge of the district, county, and probate courts, judge of the county courts at law, judge of the courts of domestic relations, judge of the juvenile courts, retired justice or judge of those courts, justice of the peace, retired justice of the peace, judge of a municipal court, retired judge of a municipal court, associate judge of a statutory probate court, retired associate judge of a statutory probate court, associate judge of a county court at law, retired associate judge of a county court at law, or judge or magistrate of a federal court of this state; and~~

~~[(5)—a retired judge or magistrate of a federal court of this state].~~

(b) For the purposes of Subsection (a)(4), "federal judge" and "state judge" have the meanings assigned by Section 25.025, Tax Code ~~[a retired judge or justice is a former judge or justice who is vested in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two or who has an aggregate of at least 12 years of service as judge or justice of any type listed in Subsection (a)(4)].~~

Source: HB 907

Eff. Date: 9/1/2023

§ 2.202(b-1). Persons Authorized to Conduct Ceremony—REPEALED

Source: HB 907
Eff. Date: 9/1/2023

§ 2.204(c). 72-Hour Waiting Period; Exceptions—AMENDED

- (c) An applicant may request a judge of a court with jurisdiction in family law cases, a justice of the supreme court, a judge of the court of criminal appeals, a county judge, ~~[or] a judge of a court of appeals, an associate judge appointed under Chapter 201, an associate judge appointed under Chapter 54A, Government Code, or a justice of the peace~~ for a written waiver permitting the marriage ceremony to take place during the 72-hour period immediately following the issuance of the marriage license. If the judge, associate judge, or justice finds that there is good cause for the marriage to take place during the period, the judge, associate judge, or justice shall sign the waiver. Notwithstanding any other provision of law, a judge, associate judge, or justice under this section has the authority to sign a waiver under this section.

SECTION 2. The change in law made by this Act applies only to a marriage ceremony for which a marriage license application is filed on or after the effective date of this Act. A marriage ceremony for which a marriage license application is filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

Source: HB 4183

EFF. DATE: 9/1/2023—APPLIES ONLY TO A MARRIAGE CEREMONY FOR WHICH A MARRIAGE LICENSE APPLICATION IS FILED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT. A MARRIAGE CEREMONY FOR WHICH A MARRIAGE LICENSE APPLICATION IS FILED BEFORE THE EFFECTIVE DATE OF THIS ACT IS GOVERNED BY THE LAW IN EFFECT ON THE DATE THE APPLICATION WAS FILED, AND THE FORMER LAW IS CONTINUED IN EFFECT FOR THAT PURPOSE.

SUBTITLE B. PROPERTY RIGHTS AND LIABILITIES CHAPTER 3. MARITAL PROPERTY RIGHTS AND LIABILITIES Subchapter E. Claims for Reimbursement

§ 3.401. Definitions—AMENDED/ADDED

- (1) "Benefited estate" means a marital estate that receives a benefit from another marital estate.
 (2) "Conferring estate" means a marital estate that confers a benefit on another marital estate.

Source: HB 1547

Eff. Date: 9/1/2023—applies to a claim for reimbursement that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

§ 3.402. Claim for Reimbursement; Offsets—AMENDED

- (a) A claim for reimbursement exists when one or both spouses use property of one marital estate to confer on the property of another marital estate a benefit which, if not repaid, would result in unjust enrichment to the benefited estate ~~[For purposes of this subchapter, a claim for reimbursement includes:~~
~~(1) payment by one marital estate of the unsecured liabilities of another marital estate;~~

- ~~[(2) inadequate compensation for the time, toil, talent, and effort of a spouse by a business entity under the control and direction of that spouse;~~
- ~~[(3) the reduction of the principal amount of a debt secured by a lien on property owned before marriage, to the extent the debt existed at the time of marriage;~~
- ~~[(4) the reduction of the principal amount of a debt secured by a lien on property received by a spouse by gift, devise, or descent during a marriage, to the extent the debt existed at the time the property was received;~~
- ~~[(5) the reduction of the principal amount of that part of a debt, including a home equity loan:

 - ~~[(A) incurred during a marriage;~~
 - ~~[(B) secured by a lien on property; and~~
 - ~~[(C) incurred for the acquisition of, or for capital improvements to, property;~~~~
- ~~[(6) the reduction of the principal amount of that part of a debt:

 - ~~[(A) incurred during a marriage;~~
 - ~~[(B) secured by a lien on property owned by a spouse;~~
 - ~~[(C) for which the creditor agreed to look for repayment solely to the separate marital estate of the spouse on whose property the lien attached; and~~
 - ~~[(D) incurred for the acquisition of, or for capital improvements to, property;~~~~
- ~~[(7) the refinancing of the principal amount described by Subdivisions (3)-(6), to the extent the refinancing reduces that principal amount in a manner described by the applicable subdivision;~~
- ~~[(8) capital improvements to property other than by incurring debt; and~~
- ~~[(9) the reduction by the community property estate of an unsecured debt incurred by the separate estate of one of the spouses].~~
- (b) A spouse seeking reimbursement to a marital estate must prove:
 - (1) that the spouse or both spouses used property of the marital estate to confer a benefit on the property of another marital estate;
 - (2) the value of the benefit described by Subdivision (1); and
 - (3) that unjust enrichment of the benefited estate will occur if the benefited estate is not required to reimburse the conferring estate.
- (c) For purposes of this subchapter, the property of a marital estate confers a benefit on another marital estate's property if:
 - (1) one or both spouses used property of the conferring estate to pay a debt, liability, or expense that in equity and good conscience should have been paid from the benefited estate's property;
 - (2) one or both spouses used property of the conferring estate to make improvements on the benefited estate's real property, and the improvements resulted in an enhancement in the value of the benefited estate's real property; or
 - (3) one or both spouses used time, toil, talent, or effort to enhance the value of property of a spouse's separate estate beyond that which was reasonably necessary to manage and preserve the spouse's separate property, and for which the community marital estate did not receive adequate compensation.
- (d) For purposes of this subchapter, the value of the benefit conferred by the property of one marital estate on the property of another marital estate is determined as of the date of the trial's commencement and:
 - (1) if the benefit resulted from the use of the conferring estate's property to pay a debt, liability, or expense that in equity and good conscience should have been paid from the benefited estate's property, then the value of the benefit conferred is measured by the amount of the debt, liability, or expense paid by the conferring estate;
 - (2) if the benefit resulted from the use of the conferring estate's property to make improvements on the benefited estate's real property, then the value of the benefit conferred is measured by the enhancement in the value of the benefited estate's real property that resulted from the improvements; or

- (3) if the benefit resulted from the use of time, toil, talent, or effort to enhance the value of property of a spouse's separate estate, then the value of the benefit conferred is measured by the value of the time, toil, talent, or effort beyond that which was reasonably necessary to manage and preserve the spouse's separate property.
- (e) The determination of whether unjust enrichment will occur if one marital estate is not required to reimburse another marital estate is a question for the court to decide.
- (f) The court shall resolve a claim for reimbursement by using equitable principles, including the principle that claims for reimbursement may be offset against each other if the court determines it to be appropriate.
- (g) A claim for reimbursement of a marital estate by one spouse may be offset by the value of any related benefit that the other spouse proves that the conferring estate received from the benefited estate, including:
- (1) the value of the use and enjoyment of the property by the conferring estate, except that the separate marital estate of a spouse may not claim an offset for use and enjoyment of a primary or secondary residence owned wholly or partly by the separate marital estate against contributions made by the community marital estate to the separate marital estate;
 - (2) income received by the conferring estate from the property of the benefited estate; or
 - (3) any reduction in the amount of any income tax obligation of the conferring estate by virtue of the conferring estate claiming tax-deductible items relating to the property of the benefited estate, such as depreciation, interest, taxes, maintenance, or other deductible payments.
- ~~(h) [(e) Benefits for the use and enjoyment of property may be offset against a claim for reimbursement for expenditures to benefit a marital estate, except that the separate estate of a spouse may not claim an offset for use and enjoyment of a primary or secondary residence owned wholly or partly by the separate estate against contributions made by the community estate to the separate estate.~~
- ~~[(d) Reimbursement for funds expended by a marital estate for improvements to another marital estate shall be measured by the enhancement in value to the benefited marital estate.~~
- ~~[(e)]The party seeking an offset to a claim for reimbursement has the burden of proof with respect to the offset.~~

Source: HB 1547

Eff. Date: 9/1/2023—applies to a claim for reimbursement that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

§ 3.404. Application of Inception of Title Rule; Ownership Interest not Created—AMENDED

- (b) A claim for reimbursement under this subchapter does not create an ownership interest in property, but does create a claim against the property of the benefited estate by the conferring ~~contributing~~ estate. The claim matures on dissolution of the marriage or the death of either spouse.

Source: HB 1547

Eff. Date: 9/1/2023—applies to a claim for reimbursement that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

§ 3.406. Equitable Lien—AMENDED

- (a) On dissolution of a marriage, the court may impose an equitable lien on the property of a benefited ~~marital~~ estate to secure a claim for reimbursement against that property by a conferring ~~contributing marital~~ estate.
- (b) On the death of a spouse, a court may, on application for a claim for reimbursement brought by the surviving spouse, the personal representative of the estate of the deceased spouse, or any

other person interested in the estate, as defined by Chapter 22, Estates Code, impose an equitable lien on the property of a benefited ~~[marital]~~ estate to secure a claim for reimbursement against that property by a conferring ~~[contributing marital]~~ estate.

Source: HB 1547

Eff. Date: 9/1/2023—applies to a claim for reimbursement that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

§ 3.411. Cumulative Remedies—ADDED

The remedies provided by this subchapter are not exclusive and are in addition to any other remedy provided by law.

Source: HB 1547

Eff. Date: 9/1/2023—applies to a claim for reimbursement that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

SUBTITLE C. DISSOLUTION OF MARRIAGE

CHAPTER 6. SUIT FOR DISSOLUTION OF MARRIAGE

Subchapter F. Temporary Orders

6.501(a). Temporary Restraining Order—AMENDED

- (a) After the filing of a suit for dissolution of a marriage, on the motion of a party or on the court's own motion, the court may grant a temporary restraining order without notice to the adverse party for the preservation of the property and for the protection of the parties as necessary, including an order prohibiting one or both parties from:

...

(27) tracking or monitoring personal property or a motor vehicle in the possession of a party, without that party's effective consent, including by:

(A) using a tracking application on a personal electronic device in the possession of that party or using a tracking device; or

(B) physically following that party or causing another to physically follow that party.

Source: HB 2715

Eff. Date: 9/1/2023

§ 6.502(a-1). Temporary Injunction and Other Temporary Orders—ADDED

- (a-1) If the court on its own motion refers to mediation a suit described by Subsection (a) in which a motion for a temporary order described by that subsection is pending, the court may not postpone the initial hearing on the pending motion to a date that is later than the 30th day after the date set for the hearing.

Source: HB 2671

Eff. Date: 9/1/2023—applies to a suit that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

CHAPTER 8. MAINTENANCE
SUBCHAPTER B. Spousal Maintenance

§ 8.054. Duration of Maintenance Order—AMENDED

(d) The continuation of maintenance ordered under Subsection (b) is subject to the procedural requirements for a motion to modify as provided by Section 8.057.

Source: HB 1547

Eff. Date: 9/1/2023—The change in law made by this Act applies to a motion to continue spousal maintenance under Subchapter B, Chapter 8, Family Code, that is made on or after the effective date of this Act, regardless of whether the original spousal maintenance order was rendered before, on, or after that date.

TITLE 4. PROTECTIVE ORDERS AND FAMILY VIOLENCE
SUBTITLE B. PROTECTIVE ORDERS
CHAPTER 81. GENERAL PROVISIONS

§ 81.001. Entitlement to Protective Order—AMENDED

A court shall render a protective order as provided by Section 85.001(b) if the court finds that family violence has occurred ~~[and is likely to occur in the future]~~.

Source: HB 1432

Eff. Date: 9/1/2023

§ 81.0015. Presumption—AMENDED

For purposes of this subtitle, there is a presumption that family violence has occurred ~~[and is likely to occur in the future]~~ if:

- (1) the respondent has been convicted of or placed on deferred adjudication community supervision for any of the following offenses against the child for whom the petition is filed:
 - (A) an offense under Title 5, Penal Code, for which the court has made an affirmative finding that the offense involved family violence under Article 42.013, Code of Criminal Procedure; or
 - (B) an offense under Title 6, Penal Code; and
- (2) the respondent's parental rights with respect to the child have been terminated~~[-; and [(3) the respondent is seeking or attempting to seek contact with the child].~~

Source: HB 1432

Eff. Date: 9/1/2023

CHAPTER 82. APPLYING FOR PROTECTIVE ORDER
SUBCHAPTER A. Application for Protective Order

§ 82.004. Form And Content ~~[Contents]~~ of Application—AMENDED

A person filing an application under this chapter shall use the protective order application form created by the Office of Court Administration of the Texas Judicial System under Section 72.039,

Government Code, that is available on the office's Internet website, and shall include in the application [An application must state]:

- (1) the name and county of residence of each applicant;
- (2) the name and county of residence of each individual alleged to have committed family violence;
- (3) the relationships between the applicants and the individual alleged to have committed family violence;
- (4) a request for one or more protective orders; and
- (5) whether an applicant is receiving services from the Title IV-D agency in connection with a child support case and, if known, the agency case number for each open case.

Source: SB 48

Eff. Date: 9/1/2023

§ 82.011. Confidentiality of Certain Information—AMENDED

On request by an applicant, the court may protect the applicant's mailing address and county of residence by rendering an order:

- (1) requiring the applicant to:
 - (A) disclose the applicant's mailing address and county of residence to the court;
 - (B) designate a person to receive on behalf of the applicant any notice or documents filed with the court related to the application; and
 - (C) disclose the designated person's mailing address to the court;
- (2) requiring the court clerk to:
 - (A) strike the applicant's mailing address and county of residence from the public records of the court, if applicable; and
 - (B) maintain a confidential record of the applicant's mailing address and county of residence for use only by the court; and
- (3) prohibiting the release of the information to the respondent.

Source: SB 578

Eff. Date: 9/1/2023—applies only to an application for a protective order that is filed on or after the effective date of this Act. An application for a protective order filed before the effective date of this Act is governed by the law in effect on the date the application is filed, and the former law is continued in effect for that purpose.

CHAPTER 83. TEMPORARY EX PARTE ORDERS

§ 83.0025. Enforcement of Temporary Ex Parte Order—ADDED

A temporary ex parte order rendered under this chapter is enforceable to the same extent and in the same manner as a final protective order rendered under Chapter 85.

Source: HB 660

Eff. Date: 9/1/2023—applies to a temporary ex parte protective order rendered under Chapter 83, Family Code, regardless of whether the order was rendered before, on, or after the effective date of this Act.

§ 83.007. Standard Temporary Ex Parte Order Form—AMENDED/ADDED

- (a) The court shall use the standardized temporary ex parte order form created by the Office of Court Administration of the Texas Judicial System under Section 72.039, Government Code, to issue a temporary ex parte order under this chapter.
- (b) A court's failure to use the standardized temporary ex parte order form as required under Subsection (a) does not affect the validity or enforceability of the temporary ex parte order issued.

Source: SB 48
Eff. Date: 9/1/2023

CHAPTER 84. HEARING

§ 84.002(a). Extended Time for Hearing in District Court in Certain Counties—AMENDED

- (a) On the request of the prosecuting attorney in a county with a population of more than 2.5 ~~two~~ million or in a county in a judicial district that is composed of more than one county, the district court shall set the hearing on a date and time not later than 20 days after the date the application is filed or 20 days after the date a request is made to reschedule a hearing under Section 84.003.

Source: HB 4559
Eff. Date: 9/1/2023

CHAPTER 85. ISSUANCE OF PROTECTIVE ORDER SUBTITLE B

§ 85.001(a), (b), and (c). Required Findings and Orders—AMENDED

- (a) At the close of a hearing on an application for a protective order, the court shall find whether:
~~[(1)] family violence has occurred [; and~~
~~[(2)] family violence is likely to occur in the future].~~
- (b) If the court finds that family violence has occurred ~~[and that family violence is likely to occur in the future]~~, the court:
- (1) shall render a protective order as provided by Section 85.022 applying only to a person found to have committed family violence; and
 - (2) may render a protective order as provided by Section 85.021 applying to both parties that is in the best interest of the person protected by the order or member of the family or household of the person protected by the order.
- (c) A protective order that requires the first applicant to do or refrain from doing an act under Section 85.022 shall include a finding that the first applicant has committed family violence ~~[and is likely to commit family violence in the future].~~

Source: HB1432
Eff. Date: 9/1/2023

§ 85.002. Exception for Violation of Expired Protective Order—AMENDED

If the court finds that a respondent violated a protective order by committing an act prohibited by the order as provided by Section 85.022, that the order was in effect at the time of the violation, and that the order has expired after the date that the violation occurred, the court, without the necessity of

making the finding [~~findings~~] described by Section 85.001(a), shall render a protective order as provided by Section 85.022 applying only to the respondent and may render a protective order as provided by Section 85.021.

Source: HB1432

Eff. Date: 9/1/2023—The changes in law made by this Act apply only to a protective order rendered on or after the effective date of this Act. A protective order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

§ 85.0221. Standard Protective Order Form—AMENDED/ADDED

- (a) The court shall use the standardized protective order form created by the Office of Court Administration of the Texas Judicial System under Section 72.039, Government Code, to issue a protective order under this chapter.
- (b) A court's failure to use the standardized protective order form as required under Subsection (a) does not affect the validity or enforceability of the protective order issued.

Source: SB 578

Eff. Date: 9/1/2023

§ 85.022(b). Requirements of Order Applying to Person Who Committed Family Violence—AMENDED

- (b) In a protective order, the court may prohibit the person found to have committed family violence from:
- ...
- (7) harming, threatening, or interfering with the care, custody, or control of a pet, companion animal, or assistance animal, as defined by Section 121.002, Human Resources Code, that is possessed by or is in the actual or constructive care of a person protected by an order or by a member of the family or household of a person protected by an order; and
- (8) tracking or monitoring personal property or a motor vehicle in the possession of a person protected by an order or of a member of the family or household of a person protected by an order, without the person's effective consent, including by:
- (A) using a tracking application on a personal electronic device in the possession of the person or the family or household member or using a tracking device; or
- (B) physically following the person or the family or household member or causing another to physically follow the person or member.

Source: HB 2715

Eff. Date: 9/1/2023—apply only to a protective or restraining order rendered on or after the effective date of this Act. A protective or restraining order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

§85.025(a-1). Duration of Protective Order—AMENDED

- (a-1)The court may render a protective order sufficient to protect the applicant and members of the applicant's family or household that is effective for a period that exceeds two years if the court finds that the person who is the subject of the protective order:

- (1) committed an act constituting a felony offense involving family violence against the applicant or a member of the applicant's family or household, regardless of whether the person has been charged with or convicted of the offense;
- (2) caused serious bodily injury to the applicant or a member of the applicant's family or household; or
- (3) was the subject of two or more previous protective orders rendered:
 - (A) to protect the person on whose behalf the current protective order is sought; and
 - (B) after a finding by the court that the subject of the protective order[:
 - ~~(i)~~ has committed family violence[: and
 - ~~(ii) is likely to commit family violence in the future].~~

Source: HB1432

Eff. Date: 9/1/2023

§ 85.007(a). Confidentiality of Certain Information—AMENDED

- (a) On request by a person protected by an order or member of the family or household of a person protected by an order, the court may exclude from a protective order:
 - (1) the address, county of residence, and telephone number of[:
~~[(1)] a person protected by the order[, in which case the order shall state the county in which the person resides]; or~~
 - (2) the address and telephone number of:
 - (A) the place of employment or business of a person protected by the order; or
 - (B) [(3)] the child-care facility or school a child protected by the order attends or in which the child resides.

Source: SB 578

Eff. Date: 9/1/2023—applies to a protective order regardless of whether the protective order was rendered before, on, or after the effective date of this Act.

§ 85.025(a-1). Exception for Violation of Expired Protective Order—AMENDED

- (a-1) The court may render a protective order sufficient to protect the applicant and members of the applicant's family or household that is effective for a period that exceeds two years if the court finds that the person who is the subject of the protective order:
 - (1) committed an act constituting a felony offense involving family violence against the applicant or a member of the applicant's family or household, regardless of whether the person has been charged with or convicted of the offense;
 - (2) caused serious bodily injury to the applicant or a member of the applicant's family or household; or
 - (3) was the subject of two or more previous protective orders rendered:
 - (A) to protect the person on whose behalf the current protective order is sought; and
 - (B) after a finding by the court that the subject of the protective order[:
 - ~~(i)~~ has committed family violence[: and
 - ~~(ii) is likely to commit family violence in the future].~~

Source: HB 1432

Eff. Date: 9/1/2023

§ 85.025(d). Duration of Protective Order—ADDED

(d) As soon as practicable after the release of a person who is the subject of a protective order from confinement or imprisonment, the Department of Public Safety shall update the statewide law enforcement information system maintained by the department to reflect the date that the order will expire following the person's release.

Source: HB 1423

Eff. Date: 9/1/2023—applies only to a protective order with respect to a person who is the subject of the order and who is released from confinement or imprisonment on or after the effective date of this Act.

§85.026(d). Warning on Protective Order—ADDED

(d) Each protective order issued under this subtitle must specify when the order expires and must provide notice of any extensions that may apply to a person who is the subject of the order, as a result of any confinement or imprisonment of that person.

Source: HB 1423

Eff. Date: 9/1/2023—applies only to a protective order issued on or after the effective date of this Act.

**CHAPTER 86. LAW ENFORCEMENT DUTIES RELATED TO PROTECTIVE ORDERS
SUBTITLE B**

§ 86.001(b). Adoption of Procedures by Law Enforcement Agency—AMENDED

(b) A law enforcement agency shall [~~may~~] enter a protective order in the agency's computer records of outstanding warrants as notice that the order has been issued and is currently in effect. On receipt of notification by a clerk of court that the court has vacated or dismissed an order, the law enforcement agency shall remove the order from the agency's computer record of outstanding warrants.

Source: HB 660

Eff. Date: 9/1/2023—applies only to information regarding a protective order received by a law enforcement agency on or after the effective date of this Act.

§ 86.0011(a). Duty to Enter Information into Statewide Law Enforcement Information System—AMENDED

(a) On receipt of an original or modified protective order from the clerk of the issuing court, or on receipt of information pertaining to the date of confinement or imprisonment or date of release of a person subject to the protective order, a law enforcement agency shall immediately, but not later than the next [~~third~~] business day after the date the order or information is received, enter the information required by Section 411.042(b)(6), Government Code, into the statewide law enforcement information system maintained by the Department of Public Safety.

Source: HB 660

Eff. Date: 9/1/2023—applies only to information regarding a protective order received by a law enforcement agency on or after the effective date of this Act.

CHAPTER 87. MODIFICATION OF PROTECTIVE ORDERS
SUBTITLE B

§ 87.004(b). Change of Address or Telephone Number—AMENDED

- (b) The clerk of the court shall attach the notification of change to the protective order and shall deliver a copy of the notification to:
- (1) the respondent by registered or certified mail as provided by Rule 21a, Texas Rules of Civil Procedure; and
 - (2) any other person entitled to a copy of the order under Section 85.042.

Source: HB 660

Eff. Date: 9/1/2023—applies only to a notification of change of address or telephone number filed with the court on or after the effective date of this Act.

SUBTITLE C. FAMILY VIOLENCE REPORTING AND SERVICE
CHAPTER 91. REPORTING FAMILY VIOLENCE

Sec. 91.003. Information Provided by Medical Professionals—AMENDED.

A medical professional who treats a person for injuries that the medical professional has reason to believe were caused by family violence shall:

- (1) immediately provide the person with information regarding the nearest family violence shelter center;
- (2) document in the person's medical file:
 - (A) the fact that the person has received the information provided under Subdivision (1); and
 - (B) the reasons for the medical professional's belief that the person's injuries were caused by family violence; and
- (3) give the person the [a] written notice adopted by the Health and Human Services Commission under Section 51A.003, Human Resources Code [in substantially the following form, completed with the required information, in both English and Spanish:

~~["It is a crime for any person to cause you any physical injury or harm even if that person is a member or former member of your family or household].~~

~~["NOTICE TO ADULT VICTIMS OF FAMILY VIOLENCE~~

~~["You may report family violence to a law enforcement officer by calling the following telephone numbers: _____.~~

~~["If you, your child, or any other household resident has been injured or if you feel you are going to be in danger after a law enforcement officer investigating family violence leaves your residence or at a later time, you have the right to:~~

~~["Ask the local prosecutor to file a criminal complaint against the person committing family violence; and~~

~~["Apply to a court for an order to protect you. You may want to consult with a legal aid office, a prosecuting attorney, or a private attorney. A court can enter an order that:~~

~~["(1) prohibits the abuser from committing further acts of violence;~~

~~["(2) prohibits the abuser from threatening, harassing, or contacting you at home;~~

~~["(3) directs the abuser to leave your household; and~~

~~["(4) establishes temporary custody of the children or any property.~~

~~["A VIOLATION OF CERTAIN PROVISIONS OF COURT ORDERED PROTECTION MAY BE A FELONY.~~

~~["CALL THE FOLLOWING VIOLENCE SHELTERS OR SOCIAL ORGANIZATIONS IF YOU NEED PROTECTION: _____."]~~

Source: SB 1325

Eff. Date: 1/1/2024—applies only to medical treatment provided on or after January 1, 2024. Medical treatment provided before January 1, 2024, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

TITLE 5. THE PARENT-CHILD RELATIONSHIP AND THE SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP
SUBTITLE A. General Provisions
CHAPTER 102. FILING SUIT

§ 102.0091(b). Service of Citation—AMENDED

(b) The party executing the waiver may ~~not~~ sign the waiver using a digitized signature.

Source: SB 869

Eff. Date: 9/1/2023

CHAPTER 104. EVIDENCE

§ 104.008 (a-1). Certain Testimony Prohibited—ADDED

(a-1) Subsection (a) does not prohibit a person from offering an expert opinion regarding the qualifications of, reliability of the methodology used by, or relevance of the information obtained by a person who has conducted a custody evaluation relating to the child under Subchapter D, Chapter 107, as long as the person's testimony does not violate Subsection (a).

Source: HB 891

Eff. Date: 9/1/2023—applies only to a suit affecting the parent-child relationship that is filed on or after the effective date of this Act. A suit affecting the parent-child relationship filed before the effective date of this Act is governed by the law in effect on the date the suit is filed, and the former law is continued in effect for that purpose.

CHAPTER 105. SETTINGS, HEARINGS AND ORDERS

§ 105.001(a-1). Temporary Orders Before Final Order—ADDED

(a-1) If the court on its own motion refers to mediation a suit in which an initial hearing regarding the rendition of a temporary order described by Subsection (a) has not yet occurred, the court may not postpone the hearing to a date that is later than the 30th day after the date set for the hearing.

Source: HB 2671

Eff. Date: 9/1/2023—applies to a suit that is pending in a trial court on the effective date of this Act or that is filed on or after that date.

§105.006(a), (e), and (f). Contents of Final Order—AMENDED

- (a) A final order, other than in a proceeding under Chapter 161 or 162, must contain:
- (1) the social security number and driver's license number of each party to the suit, including the child, except that the child's social security number or driver's license number is not required if the child has not been assigned a social security number or driver's license number; and
 - (2) each party's current residence address, mailing address, e-mail address, home telephone number, name of employer, address of employment, and work telephone number, except as provided by Subsection (c).
- (e) Except as provided by Subsection (c), an order in a suit that orders child support or possession of or access to a child must also contain the following prominently displayed statement in bold-faced type, capital letters, or underlined:

"EACH PERSON WHO IS A PARTY TO THIS ORDER IS ORDERED TO NOTIFY EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY OF ANY CHANGE IN THE PARTY'S CURRENT RESIDENCE ADDRESS, MAILING ADDRESS, E-MAIL ADDRESS, HOME TELEPHONE NUMBER, NAME OF EMPLOYER, ADDRESS OF EMPLOYMENT, DRIVER'S LICENSE NUMBER, AND WORK TELEPHONE NUMBER. THE PARTY IS ORDERED TO GIVE NOTICE OF AN INTENDED CHANGE IN ANY OF THE REQUIRED INFORMATION TO EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY ON OR BEFORE THE 60TH DAY BEFORE THE INTENDED CHANGE. IF THE PARTY DOES NOT KNOW OR COULD NOT HAVE KNOWN OF THE CHANGE IN SUFFICIENT TIME TO PROVIDE 60-DAY NOTICE, THE PARTY IS ORDERED TO GIVE NOTICE OF THE CHANGE ON OR BEFORE THE FIFTH DAY AFTER THE DATE THAT THE PARTY KNOWS OF THE CHANGE."

"THE DUTY TO FURNISH THIS INFORMATION TO EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY CONTINUES AS LONG AS ANY PERSON, BY VIRTUE OF THIS ORDER, IS UNDER AN OBLIGATION TO PAY CHILD SUPPORT OR ENTITLED TO POSSESSION OF OR ACCESS TO A CHILD."

"FAILURE BY A PARTY TO OBEY THE ORDER OF THIS COURT TO PROVIDE EACH OTHER PARTY, THE COURT, AND THE STATE CASE REGISTRY WITH THE CHANGE IN THE REQUIRED INFORMATION MAY RESULT IN FURTHER LITIGATION TO ENFORCE THE ORDER, INCLUDING CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE PUNISHED BY CONFINEMENT IN JAIL FOR UP TO SIX MONTHS, A FINE OF UP TO \$500 FOR EACH VIOLATION, AND A MONEY JUDGMENT FOR PAYMENT OF ATTORNEY'S FEES AND COURT COSTS."

- (f) Except for an action in which contempt is sought, in any subsequent child support enforcement action, the court may, on a showing that diligent effort has been made to determine the location of a party, consider due process requirements for notice and service of process to be met with respect to that party on delivery of written notice to the most recent residence address, e-mail address, [residential] or [employer] address of employment filed by that party with the court and the state case registry.

Source: SB 869

Eff. Date: 9/1/2023—apply only to a suit affecting the parent-child relationship that is filed on or after the effective date of this Act. A suit affecting the parent-child relationship filed before the effective date of this Act is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

§ 105.007(a). Compliance with Order Requiring Notice of Change of Required Information—AMENDED

- (a) A party shall comply with the order by giving written notice to each other party of an intended change in the party's current residence address, mailing address, e-mail address, home telephone number, name of employer, address of employment, and work telephone number.

Source: SB 869

Eff. Date: 9/1/2023—apply only to a suit affecting the parent-child relationship that is filed on or after the effective date of this Act. A suit affecting the parent-child relationship filed before the effective date of this Act is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

§ 105.009(m). Parent Education and Family Stabilization Course—AMENDED

- (m) A course under this section in a suit filed in a county with a population of more than 2.5 ~~two~~ million that is adjacent to a county with a population of more than one million must be available in both English and Spanish.

Source: HB 4559

Eff. Date: 9/1/2023

CHAPTER 107. SPECIAL APPOINTMENTS, CHILD CUSTODY EVALUATIONS AND ADOPTION EVALUATIONS

SUBCHAPTER D. CHILD CUSTODY EVALUATION

§ 107.112. Communications and Recordkeeping of Child Custody Evaluator—AMENDED/ADDED

- (a) Subject to Subsection (b-1), notwithstanding ~~Notwithstanding~~ any rule, standard of care, or privilege applicable to the professional license held by a child custody evaluator, a communication made by a participant in a child custody evaluation is subject to disclosure and may be offered in any judicial or administrative proceeding if otherwise admissible under the rules of evidence.
- (b-1) A child custody evaluator shall create an audiovisual recording of each interview the evaluator conducts with a child who is the subject of a suit seeking conservatorship of, possession of, or access to the child. A recording created under this subsection is confidential and may not be released after the completion of the suit in which the evaluator conducted the evaluation, except by court order for good cause shown.
- (c) Subject to Subsection (b-1) and except ~~Except~~ for records obtained from the department in accordance with Section 107.111, records relating to a child custody evaluation conducted by an employee of or contractor with a domestic relations office shall, after completion of the evaluation and the preparation and filing of a child custody evaluation report under Section 107.113, be made available on written request according to the local rules and policies of the office.

Source: HB 4062

Eff. Date: 9/1/2023—apply only to an interview conducted by a child custody evaluator in a suit affecting the parent-child relationship on or after the effective date of this Act. An interview conducted before the effective date of this Act is governed by the law in effect on the date the interview was conducted, and the former law is continued in effect for that purpose.

CHAPTER 110. COURT FEES

§ 110.005. Transfer Fee—AMENDED

- (a) The clerk of the court may collect a filing fee of \$80 [~~\$15~~] in a suit for filing:
- (1) a suit or motion for modification;
 - (2) a motion for enforcement;
 - (3) a notice of application for judicial writ of withholding;
 - (4) [~~a motion to transfer~~;
 - ~~(5)~~] a petition for license suspension;
 - (5) [~~(6)~~] a motion to revoke a stay of license suspension; or
 - (6) [~~(7)~~] a motion for contempt.
- (d) Fees collected under this section are to be remitted and allocated as provided by Chapters 133 and 135, Local Government Code, as applicable.

Source: SB 1612
 Eff. Date: 9/1/2023

CHAPTER 154. CHILD SUPPORT

Subchapter A. Court Ordered Child Support

§ 154.017. Employment Services-Related Orders for Unemployed and Underemployed Obligor—ADDED.

- (a) When establishing, modifying, or enforcing a child support obligation, a court or Title IV-D agency may render an order requiring an unemployed or underemployed obligor to:
- (1) enroll and participate fully in a program available in the obligor's community that provides employment assistance, skills training, or job placement services; or
 - (2) work, have a plan to pay child support, or participate in work activities appropriate to pay the support obligation.
- (b) An order rendered under this section is enforceable as provided by Chapter 157.

Source: SB 870
 Eff. Date: 9/1/2023—does not constitute a material and substantial change of circumstances under Section 156.401, Family Code, sufficient to warrant modification of a court order or a portion of a decree that provides for the support of a child rendered before the effective date of this Act.

Subchapter C. Child Support Guidelines

§ 154.132. Application of Guidelines to Children of Certain Disabled Obligor—AMENDED

- (a) In applying the child support guidelines for an obligor who has a disability and who is required to pay support for a child who receives periodic benefits as a result of the obligor's disability, the court shall apply the guidelines by determining the amount of child support that would be ordered under the child support guidelines and subtracting from that total the amount of benefits or the value of the benefits paid to or for the child as a result of the obligor's disability.

- (b) If a child for whom the obligor owes child support receives a lump-sum payment as a result of the obligor's disability and that payment is made to the obligee as the representative payee of the child, the credit for the lump-sum payment must be applied as provided by Section 157.009.

Source: SB 869

Eff. Date: 9/1/2023—apply only to a lump-sum payment received by a child support obligee as a representative payee of a child on or after the effective date of this Act. A lump-sum payment received before that date is governed by the law in effect on the date the payment was received, and the former law is continued in effect for that purpose.

CHAPTER 155. CONTINUING, EXCLUSIVE JURISDICTION; TRANSFER

Subchapter C: Transfer Continuing, Exclusive Jurisdiction

§ 155.207. Transfer of Court Files—AMENDED

- (a) Not later than the 10th working day after the date an order of transfer is signed, the clerk of the court transferring a proceeding shall send, using the electronic filing system established under Section 72.031, Government Code, to the proper court [~~in the county~~] to which transfer is being made:
- (1) a transfer certificate and index of transferred documents;
 - (2) a copy of each final order;
 - (3) a copy of the order of transfer signed by the transferring court;
 - (4) a copy of the original papers filed in the transferring court;
 - (5) a copy of the transfer certificate and index of transferred documents from each previous transfer; and
 - (6) a bill of any costs that have accrued in the transferring court.
- (b) The clerk of the transferring court shall keep a copy of the documents transferred under Subsection (a) [~~transferred pleadings~~].
- (e) The clerks of both the transferee and transferring courts may each produce under Chapter 51, Government Code, certified or uncertified copies of documents transferred under Subsection (a) and must [~~filed in a case transferred under this section, but shall also~~] include a copy of the transfer certificate and index of transferred documents with each document produced.

Source: SB 1612

Eff. Date: 9/1/2023

CHAPTER 156. MODIFICATION

Subchapter E. Modification of Child Support

§ 156.401(b). Grounds for Modification of Child Support—AMENDED

- (b) Except as provided by Sections 231.1015, 231.1016, and 231.1017, a [A] support order may be modified with regard to the amount of support ordered only as to obligations accruing after the earlier of:
- (1) the date of service of citation; or
 - (2) an appearance in the suit to modify.

Source: SB 870

Eff. Date: 9/1/2023

CHAPTER 157. ENFORCEMENT
Subchapter A. Pleadings and Defenses

§ 157.005(b). Time Limitations; Enforcement of Child Support—AMENDED

- (b) The court retains jurisdiction to confirm the total amount of child support, medical support, and dental support arrearages and render cumulative money judgments for past-due child support, medical support, and dental support, as provided by Section 157.263, if a motion [~~for enforcement~~] requesting a money judgment is filed not later than the 10th anniversary after the date:
- (1) the child becomes an adult; or
 - (2) on which the child support obligation terminates under the child support order or by operation of law.

Source: SB 869

Eff. Date: 9/1/2023—apply only to a motion requesting a money judgment for child support, medical support, or dental support arrearages that is filed on or after the effective date of this Act. A motion requesting a money judgment for child support, medical support, or dental support arrearages filed before that date is governed by the law in effect on the date the motion was filed, and the former law is continued in effect for that purpose.

§ 157.009. Credit for Payment of Disability Benefits—AMENDED

In addition to any other credit or offset available to an obligor under this title, if a child for whom the obligor owes child support receives a lump-sum payment as a result of the obligor's disability and that payment is made to the obligee as the representative payee of the child, the obligor is entitled to a credit. The credit under this section is equal to the amount of the lump-sum payment and shall be applied only to any child support arrearage and interest owed by the obligor on behalf of that child at the time the payment is made. The credit under this section may not be used to reduce the amount of a periodic child support obligation ordered under Chapter 154 that has not yet accrued.

Source: SB 869

Eff. Date: 9/1/2023—apply only to a lump-sum payment received by a child support obligee as a representative payee of a child on or after the effective date of this Act. A lump-sum payment received before that date is governed by the law in effect on the date the payment was received, and the former law is continued in effect for that purpose.

Subchapter D. Hearing and Enforcement Order

§ 157.168. Additional Periods of Possession or Access—AMENDED

- (a) Except as provided in Subsection (a-1), a [A] court may order additional periods of possession of or access to a child to compensate for the denial of court-ordered possession or access.
- (a-1) Unless a party shows good cause why the order should not be rendered, a court shall order additional periods of possession of or access to a child to compensate for a denial of court-ordered possession or access that resulted from an investigation by the Department of Family and Protective Services that did not result in a finding of abuse or neglect.
- (a-2) The additional periods of possession or access:
- (1) must be of the same type and duration of the possession or access that was denied;
 - (2) may include weekend, holiday, and summer possession or access; and
 - (3) must occur on or before the second anniversary of the date the court finds that court-ordered possession or access has been denied.

- (b) The person denied possession or access is entitled to decide the time of the additional possession or access, subject to the provisions of Subsection (a-2)(1) [~~(a)(1)~~].
- (c) Subsection (a-1) does not:
- (1) create a cause of action against the Department of Family and Protective Services; or
 - (2) waive sovereign immunity to suit or liability.

Source: SB 718

Eff. Date: 9/1/2023—The enactment of this Act does not constitute a material and substantial change of circumstances sufficient to warrant modification of a court order or portion of a decree that provides for the possession of or access to a child rendered before the effective date of this Act. The change in law made by this Act applies only to a suit affecting the parent-child relationship pending before a trial court on or filed on or after the effective date of this Act. A suit affecting the parent-child relationship in which a final order is rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

Subchapter F. Judgment and Interest

§ 157.263(a) and (b-3). Confirmation of Arrearages—AMENDED.

- (a) If a motion [~~for enforcement of child support~~] requests a money judgment for child support, medical support, or dental support arrearages, the court shall confirm the amount of arrearages and render cumulative money judgments as follows:
- (1) a cumulative money judgment for the amount of child support owed under Subsection (b);
 - (2) a cumulative money judgment for the amount of medical support owed under Subsection (b-1); and
 - (3) a cumulative money judgment for the amount of dental support owed under Subsection (b-2).
- (b-3) In rendering a money judgment under this title that includes child support, medical support, or dental support arrearages [~~section~~], the court may not reduce or modify the amount of [~~child support, medical support, or dental support~~] arrearages but, in confirming the amount of arrearages, may allow a counterclaim or offset as provided by this title.

Source: SB 869

Eff. Date: 9/1/2023—apply only to a motion requesting a money judgment for child support, medical support, or dental support arrearages that is filed on or after the effective date of this Act. A motion requesting a money judgment for child support, medical support, or dental support arrearages filed before that date is governed by the law in effect on the date the motion was filed, and the former law is continued in effect for that purpose.

Subchapter G. Child Support Lien

§ 157.318(a). Duration and Effect of Child Support Lien—AMENDED

- (a) A [~~Subject to Subsection (d), a~~] lien is effective until all current support and child support arrearages, including interest, any costs and reasonable attorney's fees, and any Title IV-D service fees authorized under Section 231.103 for which the obligor is responsible, have been paid or the lien is otherwise released as provided by this subchapter.

Source: SB 869

Eff. Date: 9/1/2023—(a) applies to a child support lien on real property regardless of whether the lien notice was filed before on, or after the effective date of this Act. (b) A lien for which the 10th anniversary

of the date on which the last lien notice was filed with the county clerk occurred before the effective date of this Act may be renewed on or after the effective date of this Act in the same manner and with the same effect on priority over other liens as provided by Section 157.318(d), Family Code, as that section existed immediately before the effective date of this Act. Once the lien is renewed in accordance with this subsection, the lien continues in effect in accordance with Section 157.318, Family Code, as amended by this Act.

§ 157.321. Discretionary Release of Lien—AMENDED

- (a) A child support lien claimant may at any time release a lien on all or part of the property of the obligor or return seized property, without liability, if assurance of payment is considered adequate by the claimant or if the release or return will facilitate the collection of the arrearages. The release or return may not operate to prevent future action to collect from the same or other property owned by the obligor.
- (b) A release of child support lien filed by the Title IV-D agency under this section does not require verification.

Source: SB 870

Eff. Date: 9/1/2023—applies only to a child support lien release executed on or after the effective date of this Act. A child support lien release executed before the effective date of this Act is governed by the law in effect on the date the lien release was executed, and the former law is continued in effect for that purpose.

§ 157.322. Mandatory Release of Lien—AMENDED/ADDED

- (c) A release of child support lien filed by the Title IV-D agency under this section does not require verification.

Source: SB 870

Eff. Date: 9/1/2023—applies only to a child support lien release executed on or after the effective date of this Act. A child support lien release executed before the effective date of this Act is governed by the law in effect on the date the lien release was executed, and the former law is continued in effect for that purpose.

Subchapter K. Local Regulation and Enforcement

§ 157.551. Civil Penalty for Interference with Child Custody Order—ADDED

A municipality or county in this state may adopt an ordinance or order that imposes a civil penalty of not more than \$500 for engaging in conduct described by Section 25.03, Penal Code.

Source: HB 969

Eff. Date: 9/1/2023

CHAPTER 160. UNIFORM PARENTAGE ACT
Subchapter G. Proceeding to Adjudicate Parentage

§160.604(c). Personal Jurisdiction—AMENDED

- (c) If the court lacks [Lack of] jurisdiction over one individual, [does not preclude] the court:
- (1) is not precluded from making an adjudication of parentage binding on another individual over whom the court has personal jurisdiction; and
 - (2) may not delay the adjudication described by Subdivision (1) solely due to the lack of jurisdiction.

Source: SB 870
Eff. Date: 9/1/2023

CHAPTER 161. TERMINATION OF THE PARENT-CHILD RELATIONSHIP
Subchapter A. Grounds

§ 161.001(b). Involuntary Termination of Parent-Child Relationship—AMENDED

- (b) The court may order termination of the parent-child relationship if the court finds by clear and convincing evidence:
- (1) that the parent has:
 - ...
 - (V) been convicted of:
 - (i) criminal solicitation of a minor under Section 15.031, Penal Code, or under a law of another state, federal law, the law of a foreign country, or the Uniform Code of Military Justice that contains elements that are substantially similar to the elements of an offense under Section 15.031, Penal Code; or
 - (ii) online solicitation of a minor under Section 33.021, Penal Code, or under a law of another state, federal law, the law of a foreign country, or the Uniform Code of Military Justice that contains elements that are substantially similar to the elements of an offense under Section 33.021, Penal Code; and
 - (2) that termination is in the best interest of the child.

Source: HB 2658
Eff. Date: 9/1/2023—applies only to a suit affecting the parent-child relationship filed on or after the effective date of this Act. A suit affecting the parent-child relationship filed before the effective date of this Act is governed by the law in effect on the date the suit was filed, and the former law is continued in effect for that purpose.

Subchapter D. Reinstatement of Parental Rights After Involuntary Termination

§ 161.304(c-1). Orders—ADDED

(c-1)The clerk of the court shall provide a copy of an order rendered under Subsection (c) to the Title IV-D agency.

Source: SB 870
Eff. Date: 9/1/2023—applies only to an order reinstating parental rights that is rendered on or after the effective date of this Act. An order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

CHAPTER 162. ADOPTION
Subchapter A. Adoption of A Child

§ 162.003. Adoption Evaluation—AMENDED

In a suit for adoption, an adoption evaluation must be conducted as provided in Chapter 107, unless the court waives the requirement for the performance of an adoption evaluation under Section 107.153(a-1).

Source: HB 461

Eff. Date: 9/1/2023—applies only to a suit for adoption that is pending in trial court on the effective date of this Act or filed on or after the effective date of this Act.

Subchapter G. Miscellaneous Provisions

§ 162.604. Maximum Age Restriction for Adoptive Parents Prohibited—ADDED

- (a) The Department of Family and Protective Services, a single source continuum contractor, or a licensed child-placing agency that places a child for adoption may not implement or enforce a policy that:
- (1) sets a maximum age for any prospective adoptive parent; or
 - (2) sets a maximum age differential between a child and any prospective adoptive parent.
- (b) Subject to Subsection (a), the Department of Family and Protective Services, a single source continuum contractor, or a licensed child-placing agency may consider the health and expected lifespan of each prospective adoptive parent when determining the best interest of a child.

Source: HB 2969

Eff. Date: 9/1/2023

SUBTITLE C. JUDICIAL RESOURCES AND SERVICES
CHAPTER 201. ASSOCIATE JUDGE
Subchapter B. Associate Judge for Title IV-D Cases

§ 201.1045. Proceedings and Judicial Actions by Remote Communication—ADDED.

- (a) In this section, "remote communication" includes teleconferencing, videoconferencing, and any similar technology.
- (b) Unless a party files a written objection and except as provided by Subsection (d), an associate judge appointed under this subchapter may conduct a proceeding or perform a judicial action authorized under Section 201.104 from any location in this state using remote communication.
- (c) Except as provided by Subsection (d), an associate judge appointed under this subchapter may require or authorize a party to participate in a proceeding authorized under Section 201.104 using a method of remote communication available to the party.
- (d) A respondent is entitled to appear in person at a final hearing that may result in a finding of contempt or revocation of the respondent's community supervision under Chapter 157. The respondent may waive the right to appear in person at the hearing in writing or on the record. Unless the respondent waives that right, the associate judge must also appear at the hearing in person.

Source: SB 870

Eff. Date: 9/1/2023—applies to a proceeding conducted or judicial action performed on or after the effective date of this Act.

SUBTITLE D. ADMINISTRATIVE SERVICES
CHAPTER 231. TITLE IV-D SERVICES
Subchapter A. Administration of Title IV-D Program

§ 231.002(e). Powers and Duties—AMENDED

- (e) The Title IV-D agency may take the following administrative actions with respect to the location of a parent, the determination of parentage, and the establishment, modification, and enforcement of child support, medical support, and dental support orders required by 42 U.S.C. Section 666(c), without obtaining an order from any other judicial or administrative tribunal:
- (1) issue an administrative subpoena, as provided by Section 231.303, to obtain financial or other information;
 - (2) order genetic testing for parentage determination, as provided by Chapter 233;
 - (3) order income withholding, as provided by Chapter 233, and issue an administrative writ of withholding, as provided by Chapter 158; ~~and~~
 - (4) take any action with respect to execution, collection, and release of a judgment or lien for child support necessary to satisfy the judgment or lien, as provided by Chapter 157; and
 - (5) adjust the support obligations of an incarcerated obligor, as provided by Sections 231.1015, 231.1016, and 231.1017.

Source: SB 870

Eff. Date: 9/1/2023

§ 231.016. Dismissal Of Certain Claims Against Title IV-D Agency Or Title IV-D Agency Employee.—AMENDED

A court may dismiss a cause of action asserted in a suit filed against the Title IV-D agency or an employee of the Title IV-D agency pertaining to the powers or duties of, or services provided by, the Title IV-D agency under this subtitle if the court determines the asserted cause of action:

- (1) is frivolous or malicious;
- (2) fails to state a claim on which relief may be granted; or
- (3) seeks monetary relief from the agency or employee for which immunity applies.

Source: SB 870

Eff. Date: 9/1/2023—applies only to a suit filed on or after the effective date of this Act.

Subchapter B. Services Provided by Title IV-D Program

§ 231.1015. Administrative Adjustment of Support Obligations During Obligor's Incarceration—ADDED.

- (a) Subject to Subsection (b), on verification by the Title IV-D agency that a judgment or order has been rendered for the confinement of a child support obligor in a local, state, or federal jail or prison for a period of at least 180 consecutive days, the Title IV-D agency shall review and administratively adjust the obligor's child support, medical support, and dental support order to

amounts that are based on the application of the child support guidelines under Chapter 154 to the obligor's net resources during incarceration.

- (b) This section does not apply if the Title IV-D agency determines that the obligor is confined:
 - (1) due to the obligor's failure to comply with a child support order; or
 - (2) for an offense constituting an act of family violence, as defined by Section 71.004, committed against the obligee or a child covered by the child support order.
- (c) If the Title IV-D agency administratively adjusts a support obligation under Subsection (a), the agency must:
 - (1) provide notice of the administrative adjustment to the parties to the support order; and
 - (2) file a copy of the notice with the court of continuing, exclusive jurisdiction.
- (d) The notice provided under Subsection (c) must state:
 - (1) the amount of the obligor's adjusted support obligation during incarceration;
 - (2) the effective date of the administrative adjustment of the support obligation; and
 - (3) the style and cause number of the case in which the support order was rendered.
- (e) Notwithstanding Subsection (a), the Title IV-D agency may seek modification of the support order under Subchapter E, Chapter 156, in lieu of administratively adjusting the support obligation under this section.
- (f) The administrative adjustment of a support obligation under this section may not take effect before the 30th day after the date a copy of the notice is filed with the court of continuing, exclusive jurisdiction under Subsection (c)(2).
- (g) The administrative adjustment of a support obligation under this section does not affect a support obligation due before the effective date of the administrative adjustment.
- (h) The Title IV-D agency may adopt rules to implement this section.

Source: SB 870

Eff. Date: 9/1/2023—applies to a child support order regardless of whether the order was rendered before, on, or after the effective date of this Act.

§ 231.1016. Review of Administrative Adjustment of Support Obligations—ADDED

- (a) Not later than the 30th day after receiving notice of an administrative adjustment of a support obligation under Section 231.1015, a party to the support order may contest the administrative adjustment by requesting that the Title IV-D agency review the agency's decision to grant the administrative adjustment.
- (b) If a party to the support order does not request the Title IV-D agency to review the administrative adjustment within the time prescribed by Subsection (a), the Title IV-D agency shall file an administrative adjustment order with the court of continuing, exclusive jurisdiction. The order must contain a signed statement from the Title IV-D agency that neither party to the order requested an administrative review within the time required by Subsection (a) and state the amount of the obligor's adjusted support obligation during incarceration and the effective date of the administrative adjustment. The court shall sign the order not later than the seventh day after the date the order is filed. On expiration of the seventh day after the date the order is filed, the order is considered confirmed by the court by operation of law, regardless of whether the court has signed the order.
- (c) On request by a party under Subsection (a), the Title IV-D agency shall:
 - (1) review the administrative adjustment of the support obligation to determine whether:
 - (A) the exceptions under Section 231.1015(b) apply; and
 - (B) the administrative adjustment accurately reflects the obligor's net resources during incarceration; and
 - (2) provide an opportunity for review with the parties in person or by telephone, as appropriate.
- (d) After conducting a review under Subsection (c), the Title IV-D agency shall:

- (1) affirm the administrative adjustment of the support obligation by issuing a notice of determination to the parties regarding the agency's decision to affirm the administrative adjustment; or
- (2) withdraw the administrative adjustment of the support obligation by filing a notice with the court of continuing, exclusive jurisdiction withdrawing the administrative adjustment and issuing a notice of determination to the parties regarding the agency's decision to withdraw the administrative adjustment.
- (e) Not later than the 30th day after a party receives notice under Subsection (d)(1), the party may file a motion requesting a hearing with the court of continuing, exclusive jurisdiction to contest the Title IV-D agency's administrative adjustment of the support obligation. The administrative adjustment remains in effect until:
 - (1) the agency files a notice with the court of continuing, exclusive jurisdiction withdrawing the administrative adjustment; or
 - (2) the court renders an order regarding the administrative adjustment.
- (f) If a party to a support order does not file a motion requesting a hearing with the court of continuing, exclusive jurisdiction within the time prescribed by Subsection (e), the Title IV-D agency shall file an administrative adjustment order with the court of continuing, exclusive jurisdiction and shall attach to the order a copy of the notice of determination issued under Subsection (d)(1). The order must state the amount of the obligor's adjusted support obligation during incarceration and the effective date of the administrative adjustment. The court shall sign the order not later than the seventh day after the date the order is filed. On expiration of the seventh day after the date the order is filed, the order is considered confirmed by the court by operation of law, regardless of whether the court has signed the order.
- (g) The Title IV-D agency may adopt rules to implement this section.

Source: SB 870

Eff. Date: 9/1/2023—applies to a child support order regardless of whether the order was rendered before, on, or after the effective date of this Act.

§ 231.1017. Modification of Support Obligation After Obligor's Release from Incarceration—ADDED

In a Title IV-D case, on the release of an obligor whose support obligations were administratively adjusted during incarceration under Section 231.1015, the Title IV-D agency shall review the obligor's support order as provided by Section 231.101 to determine if modification is necessary and may proceed under Chapter 156 or 233.

Source: SB 870

Eff. Date: 9/1/2023—applies to a child support order regardless of whether the order was rendered before, on, or after the effective date of this Act. The change in law made by this Act described by Subsection (a) of this section constitutes a material and substantial change of circumstances under Section 156.401, Family Code, sufficient to warrant modification of a court order or a portion of a decree that provides for the support of a child rendered before the effective date of this Act.

§ 231.108. Confidentiality of Records and Privileged Communications-AMENDED/ADDED

(h) A court may not order the Title IV-D agency to release information that is confidential or privileged under this section.

Source: SB 870

Eff. Date: 9/1/2023

§ 231.117. ~~UNEMPLOYED AND UNDEREMPLOYED OBLIGORS—EMPLOYMENT SERVICES-RELATED REFERRALS FOR UNEMPLOYED AND UNDEREMPLOYED OBLIGORS—~~ AMENDED [heading change]

Source: SB 870
Eff. Date: 9/1/2023

§ 231.117(a). EMPLOYMENT SERVICES-RELATED REFERRALS FOR UNEMPLOYED AND UNDEREMPLOYED OBLIGORS—AMENDED

- (a) The Title IV-D agency:
- (1) shall refer to appropriate state and local entities that provide employment services any unemployed or underemployed obligor who is in arrears in court-ordered child support payments; and
 - (2) may make the referral described by Subdivision (1) for any unemployed or underemployed obligor who is not in arrears.

Source: SB 870
Eff. Date: 9/1/2023

§ 231.117(d).—REPEALED

Source: SB 870
Eff. Date: 9/1/2023

CHAPTER 233. CHILD SUPPORT REVIEW PROCESS TO ESTABLISH OR ENFORCE SUPPORT OBLIGATIONS

§ 233.0155. Issuance and Enforcement of Child Support Review Order Containing Determination of Arrearages; Time Limitation Not Applicable—ADDED.

The Title IV-D agency's authority to issue and enforce a child support review order containing a determination of arrearages is not subject to the time limitation prescribed by Section 157.005(b) on the court's jurisdiction to confirm the amount of and render cumulative money judgments for arrearages.

Source: SB 870
Eff. Date: 9/1/2023—applies to a child support review order issued by the Title IV-D agency on or after the effective date of this Act regardless of whether the original child support order was rendered before, on, or after that date.

§ 233.018. Additional Contents of Agreed Child Support Review Order—AMENDED

- (e) Notwithstanding Subsection (a)(2) or Section 132.001(d), Civil Practice and Remedies Code, the [mailing] address of a party shall be omitted from the child support review order and any waiver signed under this section if:

- (1) the court has previously made a finding and ordered nondisclosure under Section 105.006(c) relating to the parties and the order has not been superseded; or
- (2) the child support review order contains an agreed finding and order under Section 105.006(c).

Source: SB 870

Eff. Date: 9/1/2023—applies only to an agreed child support review order filed on or after the effective date of this Act. An agreed child support review order filed before that date is governed by the law in effect on the date the order was filed, and the former law is continued in effect for that purpose.

CHAPTER 234. STATE CASE REGISTRY, DISBURSEMENT UNIT, AND DIRECTORY OF NEW HIRES

Subchapter A. Unified State Case Registry and Disbursement Unit

§ 234.001. Establishment and Operation of State Case Registry and State Disbursement Unit—AMENDED

- (d) A certified child support payment record produced by the Title IV-D agency or state disbursement unit is admissible as evidence of the truth of the information contained in the record and does not require further authentication or verification.

Source: SB 870

Eff. Date: 9/1/2023- applies only to the admissibility of evidence in a proceeding commenced on or after the effective date of this Act. The admissibility of evidence in a proceeding that commences before the effective date of this Act is governed by the law in effect on the date the proceeding commenced, and the former law is continued in effect for that purpose.

§ 234.0015. Child Support Payments—ADDED

For purposes of services provided by the state disbursement unit under this subchapter, a child support payment includes child support, medical support, and dental support ordered under Chapter 154.

Source: SB 870

Eff. Date: 9/1/2023—apply to a child support or maintenance payment made on or after the effective date of this Act regardless of whether the order for child support or maintenance was rendered before, on, or after the effective date of this Act.

§ 234.013. Applicability to Certain Maintenance Payments—ADDED

The state disbursement unit shall administer maintenance payments ordered under Section 8.062 in the same manner as child support payments under this subchapter.

Source: SB 870

Eff. Date: 9/1/2023—apply to a child support or maintenance payment made on or after the effective date of this Act regardless of whether the order for child support or maintenance was rendered before, on, or after the effective date of this Act.

TITLE 6. CIVIL PROCEDURE—ADDED
CHAPTER 301. DISCOVERY PROCEDURES FOR CIVIL ACTIONS
Subchapter A. General Provisions

§ 301.001. Applicability of Chapter.

This chapter applies only to a civil action brought under this code.

§ 301.002. Conflict with Texas Rules of Civil Procedure.

Notwithstanding Section 22.004, Government Code, this chapter may not be modified or repealed by a rule adopted by the supreme court.

§ 301.003. Draft Expert Reports and Disclosures Protected.

A draft expert report or draft disclosure required under this chapter is protected from discovery, regardless of the form in which the draft is recorded.

Subchapter B. Request for Disclosure

§ 301.051. Request.

Not later than the 30th day before the last day of any applicable discovery period, a party may obtain disclosure from another party of the information or material described by Section 301.052 by serving the other party the following request:

"Under Subchapter B, Chapter 301, Family Code, you are requested to disclose, not later than the 30th day after the date of service of this request, the information or material described by Section (state applicable provision of Section 301.052)."

§ 301.052. Content.

(a) A party may request disclosure under Section 301.051 of any or all of the following:

- (1) the correct names of the parties to the action;
- (2) the name, address, and telephone number of any potential parties;
- (3) the legal theories and, in general, the factual bases of the responding party's claims or defenses;
- (4) the amount and any method of calculating economic damages;
- (5) the name, address, and telephone number of any person having knowledge of relevant facts and a brief statement of each identified person's connection with the action;
- (6) for any testifying expert:
 - (A) the expert's name, address, and telephone number;
 - (B) the subject matter on which the expert will testify;
 - (C) the general substance of the expert's mental impressions and opinions and a brief summary of the basis for those impressions and opinions, or if the expert is not retained by, employed by, or otherwise subject to the control of the responding party, documents reflecting that information; and
 - (D) if the expert is retained by, employed by, or otherwise subject to the control of the responding party:
 - (i) all documents, tangible things, reports, models, or data compilations that have been provided to, reviewed by, or prepared by or for the expert in anticipation of the expert's testimony; and
 - (ii) the expert's current resume and biography;

- (7) any discoverable settlement agreement described by Rule 192.3(g), Texas Rules of Civil Procedure;
 - (8) any discoverable witness settlement described by Rule 192.3(h), Texas Rules of Civil Procedure;
 - (9) in an action alleging physical or mental injury and damages from the occurrence that is the subject of the action:
 - (A) all medical records and bills that are reasonably related to the injuries or damages asserted; or
 - (B) an authorization permitting the disclosure of the information described by Paragraph (A);
 - (10) in an action alleging physical or mental injury and damages from the occurrence that is the subject of the action, all medical records and bills obtained by the responding party through an authorization provided by the requesting party; and
 - (11) the name, address, and telephone number of any person who may be designated as a responsible third party.
- (b) For purposes of Subsection (a)(3), the responding party is not required to compile all evidence that may be offered at trial.

§ 301.053. Response.

The responding party must serve a written response on the requesting party not later than the 30th day after the date the requesting party serves a request under Section 301.051, except that:

- (1) a defendant served with a request before the defendant's answer is due is not required to respond until the 50th day after the date the request is served; and
- (2) a response to a request under Section 301.052(a)(6) is governed by Subchapter C.

§ 301.054. Production of Documents and Tangible Items.

The responding party shall provide copies of documents and other tangible items with the response to a request served under Section 301.051 unless:

- (1) the responsive documents are voluminous;
- (2) the responding party states a reasonable time and place for the production of the documents;
- (3) the responding party produces the documents at the time and place stated under Subdivision (2) unless otherwise agreed by the parties or ordered by the court; and
- (4) the responding party provides the requesting party a reasonable opportunity to inspect the documents.

§ 301.055. Work Product Objection Prohibited.

A party may not assert a work product privilege for or object on the basis of a work product privilege to a request served under Section 301.051.

§ 301.056. Certain Responses Not Admissible.

A response to a request under Section 301.052(a)(3) or (4) that has been changed by an amended or supplemental response is not admissible and may not be used for impeachment.

Subchapter C. Discovery Regarding Testifying Expert Witnesses

§ 301.101. Permissible Discovery Methods.

A party may request another party to designate and disclose information concerning testifying expert witnesses only through:

- (1) a disclosure request served under Section 301.051; or
- (2) a deposition or report permitted by this subchapter.

§ 301.102. Deadline for Response.

Unless otherwise ordered by the court, a responding party shall provide the information requested under Section 301.052(a)(6) not later than the later of:

- (1) the 30th day after the date the request is served; or
- (2) either, as applicable:
 - (A) with respect to an expert testifying for a party seeking affirmative relief, the 90th day before the end of the discovery period; or
 - (B) with respect to an expert not described by Paragraph (A), the 60th day before the end of the discovery period.

§ 301.103. Deposition Availability.

- (a) A party seeking affirmative relief shall make an expert retained by, employed by, or otherwise under the control of the party available for a deposition in accordance with this section.
- (b) If a party seeking affirmative relief does not provide a report of the party's expert's factual observations, tests, supporting data, calculations, photographs, and opinions when the party designates the expert, the party shall make the expert available for a deposition reasonably promptly after the designation. If the deposition cannot be reasonably concluded more than 15 days before the deadline for designating other experts due to the actions of the party who designated the expert, the court shall extend the deadline for other experts testifying on the same subject.
- (c) If a party seeking affirmative relief provides a report of the party's expert's factual observations, tests, supporting data, calculations, photographs, and opinions when the party designates the expert, the party is not required to make the expert available for a deposition until reasonably promptly after all other experts have been designated.
- (d) A party not seeking affirmative relief shall make an expert retained by, employed by, or otherwise under the control of the party available for a deposition reasonably promptly after the party designates the expert and the experts testifying on the same subject for the party seeking affirmative relief have been deposed.

§ 301.104. Content Of Oral Depositions And Court-Ordered Reports.

In addition to a disclosure request served under Section 301.051, a party may obtain discovery by oral deposition and a report prepared in accordance with Section 301.105 of:

- (1) the subject matter on which a testifying expert is expected to testify;
- (2) the expert's mental impressions and opinions;
- (3) the facts known to the expert, regardless of when the factual information is acquired, that relate to or form the basis of the expert's mental impressions and opinions; and
- (4) other discoverable items, including documents not produced in response to a disclosure request.

§ 301.105. Court-Ordered Reports.

If the discoverable factual observations, tests, supporting data, calculations, photographs, or opinions of an expert are not recorded and reduced to tangible form, the court may order that information be reduced to tangible form and produced in addition to the deposition.

§ 301.106. Amendment and Supplementation of Discovery.

A party's duty to amend and supplement written discovery regarding a testifying expert is governed by Rule 193.5, Texas Rules of Civil Procedure. If a party retains, employs, or otherwise controls an expert witness, the party must amend or supplement the expert's deposition testimony or written report only with regard to the expert's mental impressions or opinions and the basis for those impressions or opinions.

§ 301.107. Cost of Expert Witnesses.

When a party takes the oral deposition of an expert witness retained by an opposing party, the party retaining the expert shall pay all reasonable fees charged by the expert for time spent in preparing for, giving, reviewing, and correcting the deposition.

§ 301.108. Expert Communications Protected.

Communications between a party's attorney and a testifying expert witness in an action subject to this chapter are protected from discovery regardless of the form of the communications, except to the extent that the communications:

- (1) relate to compensation for the expert's study or testimony;
- (2) identify facts or data that the party's attorney provided and that the expert considered in forming the opinions the expert will express; or
- (3) identify assumptions that the party's attorney provided and that the expert relied on in forming the opinions the expert will express.

Source: HB 2850

Eff. Date: 9/1'2023

OTHER LEGISLATION AFFECTING THE FAMILY CODE

CRIMINAL CODE

**TITLE 1. CODE OF CRIMINAL PROCEDURE
CHAPTER 2. GENERAL DUTIES OF OFFICERS**

Art. 2.1398. Duties of Peace Officer Investigating Stalking, Harassment, or Terroristic Threat—ADDED.

(a) In this article:

- (1) "Harassment" means any conduct that constitutes an offense under Section 42.07, Penal Code.
- (2) "Stalking" means any conduct that constitutes an offense under Section 42.072, Penal Code.
- (3) "Terroristic threat" means any conduct that constitutes an offense under Section 22.07, Penal Code.

(b) A peace officer who investigates an allegation of stalking, harassment, or terroristic threat shall advise any possible adult victim of all reasonable means to prevent the occurrence of further offenses, including by providing the written notice adopted by the Health and Human Services Commission under Section 51A.003, Human Resources Code. In addition to the required notice under this subsection, a peace officer may provide to the possible victim any available written information regarding local resources for victims of stalking, harassment, or terroristic threat.

Source: SB 1325

Eff. Date: 9/1/23

CHAPTER 5. FAMILY VIOLENCE PREVENTION

Article 5.04(b). Duties of Peace Officers—AMENDED

(a) A peace officer who investigates a family violence allegation or who responds to a disturbance call that may involve family violence shall advise any possible adult victim of all reasonable means to prevent further family violence, including by providing the ~~[giving]~~ written notice adopted by the Health and Human Services Commission under Section 51A.003, Human Resources Code ~~[of a victim's legal rights and remedies and of the availability of shelter or other community services for family violence victims]~~. In addition to the required notice under this subsection, a peace officer may provide to the possible victim any available written information regarding local resources for victims of family violence.

Article 5.04I.—REPEALED

Source: SB 1325

Eff. Date: 9/1/23

CHAPTER 7B. PROTECTIVE ORDERS

Subchapter B. Stalking Protective Order

Art. 7B.005(a). Conditions Specified by Protective Order—AMENDED

- (a) In a protective order issued under this subchapter, the court may:
- (1) order the alleged offender to take action as specified by the court that the court determines is necessary or appropriate to prevent or reduce the likelihood of future harm to the applicant or a member of the applicant's family or household; or
 - (2) prohibit the alleged offender from:
 - (A) communicating:
 - (i) directly or indirectly with the applicant or any member of the applicant's family or household in a threatening or harassing manner; or
 - (ii) in any manner with the applicant or any member of the applicant's family or household except through the applicant's attorney or a person appointed by the court, if the court finds good cause for the prohibition;
 - (B) going to or near the residence, place of employment or business, or child-care facility or school of the applicant or any member of the applicant's family or household;
 - (C) engaging in conduct directed specifically toward the applicant or any member of the applicant's family or household, including following the person, that is reasonably likely to harass, annoy, alarm, abuse, torment, or embarrass the person; ~~[and]~~

- (D) possessing a firearm, unless the alleged offender is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; and
- (E) tracking or monitoring personal property or a motor vehicle in the possession of the applicant or of a member of the applicant's family or household, without the applicant's effective consent, including by:
- (i) using a tracking application on a personal electronic device in the possession of the applicant or the family or household member or using a tracking device; or
 - (ii) physically following the applicant or the family or household member or causing another to physically follow the applicant or member.

Source: HB 2715

Eff. Date: 9/1/2023—apply only to a protective or restraining order rendered on or after the effective date of this Act. A protective or restraining order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

Art. 7B.052. Required Findings; Issuance of Protective Order—AMENDED

The court shall issue a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred [~~and is likely to occur in the future~~] as required by Section 85.001, Family Code, the court finds that:

- (1) probable cause exists to believe that an offense under Section 42.072, Penal Code, was committed; and
- (2) the nature of the scheme or course of conduct engaged in by the defendant in committing the offense indicates the defendant is likely in the future to engage in conduct prohibited by Section 42.072(a)(1), (2), or (3), Penal Code.

Source: 1432

Eff. Date: 9/1/2023—The changes in law made by this Act apply only to a protective order rendered on or after the effective date of this Act. A protective order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

Subchapter C. Protective Order Prohibiting Offense Motivated by Bias or Prejudice

Art. 7B.102. Required Findings; Issuance of Protective Order—AMENDED

The court shall issue a protective order in the manner provided by Title 4, Family Code, if, in lieu of the finding that family violence occurred [~~and is likely to occur in the future~~] as required by Section 85.001, Family Code, the court finds that:

- (1) probable cause exists to believe that an offense under Title 5, Penal Code, or Section 28.02, 28.03, or 28.08, Penal Code, was committed;
- (2) the defendant committed the offense because of bias or prejudice; and
- (3) the nature of the scheme or course of conduct engaged in by the defendant in committing the offense indicates the defendant is likely in the future to:
 - (A) engage in conduct prohibited by Title 5, Penal Code, or Section 28.02, 28.03, or 28.08, Penal Code; and
 - (B) engage in that conduct described by Paragraph (A) because of bias or prejudice.

Source: 1432

Eff. Date: 9/1/2023—The changes in law made by this Act apply only to a protective order rendered on or after the effective date of this Act. A protective order rendered before the effective date of this Act is governed by the law in effect on the date the order was rendered, and the former law is continued in effect for that purpose.

ARREST, COMMITMENT AND BAIL CHAPTER 17. BAIL

Art. 17.292(c). Magistrate's Order for Emergency Protection—AMENDED

- (c) The magistrate in the order for emergency protection may prohibit the arrested party from:
- (1) committing:
 - (A) family violence or an assault on the person protected under the order; or
 - (B) an act in furtherance of an offense under Section 20A.02 or 42.072, Penal Code;
 - (2) communicating:
 - (A) directly with a member of the family or household or with the person protected under the order in a threatening or harassing manner;
 - (B) a threat through any person to a member of the family or household or to the person protected under the order; or
 - (C) if the magistrate finds good cause, in any manner with a person protected under the order or a member of the family or household of a person protected under the order, except through the party's attorney or a pers'n appointed by the court;
 - (3) going to or near:
 - (A) the residence, place of employment, or business of a member of the family or household or of the person protected under the order; or
 - (B) the residence, child care facility, or school where a child protected under the order resides or attends; [øø]
 - (4) possessing a firearm, unless the person is a peace officer, as defined by Section 1.07, Penal Code, actively engaged in employment as a sworn, full-time paid employee of a state agency or political subdivision; or
 - (5) tracking or monitoring personal property or a motor vehicle in the possession of the person protected under the order or of a member of the family or household of the person protected under the order, without the protected person's effective consent, including by:
 - (A) using a tracking application on a personal electronic device in the possession of the person or the family or household member or using a tracking device; or
 - (B) physically following the person or the family or household member or causing another to physically follow the person or member.

Source: HB 2715

Eff. Date: 9/1/2023—applies only to a magistrate's order for emergenc' protection entered on or after the effective date of this Act. A magistrate's order for emergenc' protection entered before the effective date of this Act is governed by the law in effect on the date the order was entered, and the former law is continued in effect for that purpose.

**Art. 17.49. Conditions for Defendant Charged with Offense Involving Family Violence—
AMENDED**

- (b) A magistrate may require as a condition of release on bond that a defendant charged with an offense involving family violence:
- (1) refrain from going to or near a residence, school, place of employment, or other location, as specifically described in the bond, frequented by an alleged victim of the offense;
 - (2) carry or wear a global positioning monitoring system device and, except as provided by Subsection (h), pay a reimbursement fee for the costs associated with operating that system in relation to the defendant; ~~or~~
 - (3) except as provided by Subsection (h), if the alleged victim of the offense consents after receiving the information described by Subsection (d), pay a reimbursement fee for the costs associated with providing the victim with an electronic receptor device that:
 - (A) is capable of receiving the global positioning monitoring system information from the device carried or worn by the defendant; and
 - (B) notifies the victim if the defendant is at or near a location that the defendant has been ordered to refrain from going to or near under Subdivision (1); or
 - (4) refrain from tracking or monitoring personal property or a motor vehicle in the possession of the alleged victim of the offense, without the victim's effective consent, including by:
 - (A) using a tracking application on a personal electronic device in the possession of the victim or using a tracking device; or
 - (B) physically following the victim or causing another to physically follow the victim

Source: HB 2715

Eff. Date: 9/1/2023—applies only to a defendant released on bond in connection with an offense committed on or after the effective date of this Act. A defendant released on bond in connection with an offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

**TRIAL AND ITS INCIDENTS
CHAPTER 38. EVIDENCE IN CRIMINAL ACTIONS**

Art. 38.46(a). Evidence in Prosecutions for Stalking—AMENDED

- (a) In a prosecution for stalking, each party may offer testimony as to all relevant facts and circumstances that would aid the trier of fact in determining whether the actor's conduct would cause a reasonable person in circumstances similar to the circumstances of the alleged victim to experience a fear described by Section 42.072(a)(3)(A), (B), or (C), Penal Code, including the facts and circumstances surrounding any existing or previous relationship between the actor and the alleged victim, a member of the alleged victim's family or household, or an individual with whom the alleged victim has a dating relationship.

Source: SB 1717

Eff. Date: 9/1/2023—The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

EDUCATION CODE

TITLE 3. HIGHER EDUCATION

SUBTITLE A. HIGHER EDUCATION IN GENERAL

CHAPTER 51. PROVISIONS GENERALLY APPLICABLE TO HIGHER EDUCATION

Subchapter E-3. Sexual Harassment, Sexual Assault, Dating Violence, and Stalking

§ 51.2825. Certain Duties of Campus Peace Officer Investigating Family Violence, Stalking, Harassment, or Terroristic Threat—ADDED.

(a) In this section:

- (1) "Campus peace officer" means a peace officer commissioned under Section 51.203 or 51.212.
- (2) "Family violence" has the meaning assigned by Section 71.004, Family Code.
- (3) "Harassment" means any conduct that constitutes an offense under Section 42.07, Penal Code.
- (4) "Stalking" means any conduct that constitutes an offense under Section 42.072, Penal Code.
- (5) "Terroristic threat" means any conduct that constitutes an offense under Section 22.07, Penal Code.

- (b) A campus peace officer who responds to a disturbance call that may involve family violence or investigates an allegation of family violence, stalking, harassment, or terroristic threat shall advise any possible adult victim of all reasonable means to prevent the occurrence of further offenses, including by providing the written notice adopted by the Health and Human Services Commission under Section 51A.003, Human Resources Code. In addition to the required notice under this subsection, a campus peace officer shall provide to the possible victim any available written information regarding campus and local resources for victims of family violence, stalking, harassment, or terroristic threat.

Source: SB 1325

Eff. Date: Not later than December 1, 2023, the Health and Human Services Commission shall adopt and make available the notice required by Chapter 51A, Human Resources Code, as added by this Act. Article 2.1398, Code of Criminal Procedure, as added by this Act, Article 5.04, Code of Criminal Procedure, as amended by this Act, and Section 51.2825, Education Code, as added by this Act, apply only to a peace officer's or campus peace officer's investigation or response that occurs on or after January 1, 2024. An investigation or response that occurs before January 1, 2024, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

ELECTION CODE

TITLE 9. CANDIDATES

CHAPTER 141. CANDIDACY FOR PUBLIC OFFICE GENERALLY

Subchapter A. Eligibility for Public Office

§ 141.0311. Additional Requirements for Application for Judicial Office—ADDED

(a) This section applies to candidates for the following judicial offices:

- (1) chief justice or justice of the supreme court;
- (2) presiding judge or judge of the court of criminal appeals;
- (3) chief justice or justice of a court of appeals;
- (4) district judge, including a criminal district judge; and
- (5) judge of a statutory county court.

- (b) In addition to other requirements under this code, a candidate's application for a place on the ballot must:
- (1) include the candidate's state bar number for:
 - (A) this state; and
 - (B) any other state in which the candidate has been licensed to practice law;
 - (2) disclose any public:
 - (A) sanction or censure, as those terms are defined by Section 33.001, Government Code, the State Commission on Judicial Conduct or a review tribunal has issued against the candidate;
 - (B) disciplinary sanction imposed on the candidate by the state bar; and
 - (C) disciplinary sanction imposed on the candidate by an entity in another state responsible for attorney discipline in that state;
 - (3) include statements describing for the preceding five years:
 - (A) the nature of the candidate's legal practice, including any area of legal specialization; and
 - (B) the candidate's professional courtroom experience; and
 - (4) disclose any final conviction of a Class A or Class B misdemeanor in the 10 years preceding the date the person would assume the judicial office for which the person is filing the application.
- (c) A candidate for a judicial office described by Subdivision (a)(1), (2), or (3) who does not hold or has not previously held a judicial office described by those subdivisions must, in addition to the other requirements of this section and this code, include in the application a description of:
- (1) appellate court briefs the candidate has prepared and filed in the preceding five years; and
 - (2) oral arguments the candidate has presented before any appellate court in the preceding five years.
- (d) Each officially prescribed form for an application under this section must include a statement informing candidates that knowingly providing false information on the application, in addition to other penalties prescribed by law, constitutes professional misconduct subject to public sanctions or censure by the State Commission on Judicial Conduct or the state bar, as applicable.
- (e) The secretary of state shall prescribe the form and content of the application materials under this section. The secretary of state may consult with the Office of Court Administration of the Texas Judicial System, the supreme court, and the court of criminal appeals when prescribing the form and content of application materials under this section.

Source: HB 2384

Eff. Date: 9/1/2023—applies only to an application for a place on the ballot filed for an election ordered on or after the effective date of this Act. An application for a place on the ballot filed for an election ordered before the effective date of this Act is covered by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

ESTATES CODE

TITLE 2. ESTATES OF DECEDENTS; DURABLE POWERS OF ATTORNEY

SUBTITLE C. PASSAGE OF TITLE AND DISTRIBUTION OF DECEDENTS' PROPERTY IN GENERAL

CHAPTER 122. DISCLAIMERS AND ASSIGNMENTS

SUBCHAPTER E. ASSIGNMENT OF INTEREST

§122.201. Assignment; When Assignment Ineffective or Limited—AMENDED.

- (a) Except as provided by Subsection (b), a [A] person who is entitled to receive property or an interest in property from a decedent under a will, by inheritance, or as a beneficiary under a life insurance contract, and does not disclaim the property under Chapter 240, Property Code, may assign the property or interest in property to any person.
- (b) An assignment of property or an interest in property under Subsection (a) by a child support obligor does not take effect to the extent the assigned property or interest in property could be applied to satisfy a support obligation of the obligor that has been:
- (1) administratively determined as evidence by a certified child support payment record produced by the Title IV-D agency in a Title IV-D case; or
 - (2) confirmed and reduced to judgment as provided by Section 157.263, Family Code.
- (c) In this section:
- (1) "Title IV-D agency" has the meaning assigned by Section 101.033, Family Code.
 - (2) "Title IV-D case" has the meaning assigned by Section 101.034, Family Code.
- (d) If Subsection (b) applies, the child support obligee to whom child support arrearages are owed may enforce the child support obligation against the obligor as to the assigned property or interest in property by a lien or by any other remedy provided by law.
- (e) Unless the personal representative of a decedent's estate has actual notice of a claim that an assignment of property or an interest in property under Subsection (a) does not take effect under Subsection (b), the personal representative is not liable for transferring property pursuant to such assignment.

Source: SB 869

Eff. Date: 9/1/2023

SUBTITLE E. INTESTATE SUCCESSION

CHAPTER 201. DESCENT AND DISTRIBUTION

Subchapter A. Intestate Succession

§ 201.054(e). Adopted Child—AMENDED

- (e) For purposes of this section:
- (1) "Adopted [~~,-~~,"adopted] child" means a child:
 - (A) [~~(4)~~] adopted through an existing or former statutory procedure; or
 - (B) [~~(2)~~] considered by a court to be equitably adopted or adopted by acts of estoppel.
 - (2) "Adoptive parent" means a parent:
 - (A) who adopted a child through an existing or former statutory procedure; or
 - (B) considered by a court to have equitably adopted a child or adopted a child by acts of estoppel.

Source: HB 4765

Eff. Date: 9/1/2023—applies only to the estate of a decedent who dies on or after the effective date of this Act. The estate of a decedent who dies before the effective date of this Act is governed by the law in effect on the date of the decedent's death, and the former law is continued in effect for that purpose.

SUBTITLE H. CONTINUATION OF ADMINISTRATION
Subchapter C. Payment of Claims, Allowances, and Expenses
CHAPTER 355. PRESENTMENT AND PAYMENT OF CLAIMS
§ 355.102. Claims Classification; Priority of Payment—AMENDED

- (e) Class 4 claims are composed of claims:
- (1) for the principal amount of and accrued interest on delinquent child support and child support arrearages that have been:
 - (A) confirmed as a judgment or a determination of arrearages by a court under Title 5, Family Code; or
 - (B) administratively determined as evidenced by a certified child support payment record produced by the Title IV-D agency, as defined by Section 101.033, Family Code, in a Title IV-D case, as defined by Section 101.034, Family Code; and
 - (2) for unpaid child support obligations under Section 154.015, Family Code.

Source: SB 870

Eff. Date: 9/1/2023—applies only to the estate of a decedent who dies on or after the effective date of this Act. The estate of a decedent who dies before the effective date of this Act is governed by the law in effect on the date of the decedent's death, and the former law is continued in effect for that purpose.

GOVERNMENT CODE
TITLE 2. JUDICIAL BRANCH
SUBTITLE A. Courts
CHAPTER 22. APPELLATE COURTS
Subchapter A. Supreme Court
§ 22.004(c). Modification or Suspension of Certain Provisions Relating to Court Proceedings Affected by Disaster—REPEALED

- (a) In this section, "disaster" has the meaning assigned by Section 418.004.
- (b) Notwithstanding any other statute, the supreme court may modify or suspend procedures for the conduct of any court proceeding affected by a disaster during the pendency of a disaster declared by the governor. An order under this section may not extend for more than 90 days from the date the order was signed unless renewed by the chief justice of the supreme court.
- ~~(c) If a disaster prevents the supreme court from acting under Subsection (b), the chief justice of the supreme court may act on behalf of the supreme court under that subsection.~~
- (d) If a disaster prevents the chief justice from acting under Subsection (c), the court of criminal appeals may act on behalf of the supreme court under Subsection (b).
- (e) If a disaster prevents the court of criminal appeals from acting under Subsection (d), the presiding judge of the court of criminal appeals may act on behalf of the supreme court under Subsection (b).

Source: SB 2275

Eff. Date: 9/1/2023

Subchapter C. Court of Appeals

§ 22.110. Judicial Instruction Related to Family Violence, Sexual Assault, Trafficking of Persons, and Child Abuse and Neglect—AMENDED

- (b) The court of criminal appeals shall adopt the rules necessary to accomplish the purposes of this section. The rules must require:
- (1) each district judge, judge of a statutory county court, associate judge appointed under Chapter 54A of this code or Chapter 201, Family Code, master, referee, and magistrate [to complete at least 12 hours of the training] within the judge's first term of office or the judicial officer's first four years of service to complete and provide [a method for] certification of completion of 12 hours of [that] training that include at least:
 - (A) [. At least] four hours [of the training must be] dedicated to issues related to trafficking of persons and child abuse and neglect that cover [and must cover] at least two of the topics described in Subsections (d)(8)-(12);
 - (B) [. At least] six hours [of the training must be] dedicated to the training described by Subsections (d)(5), (6), and (7); and
 - (C) one hour dedicated to the training described by Subsection (d)(13);
 - (2) [. The rules must require] each judge and judicial officer [to complete an additional five hours of training] during each additional term in office or four years of service to complete and provide certification of completion of an additional five hours of training that include at least:
 - (A) [. At least] two hours [of the additional training must be] dedicated to the training described by Subsections (d)(11) and (12); and
 - (B) one hour dedicated to the training described by Subsection (d)(13); and
 - (3) each judge of a court with primary responsibility for family law or family violence matters to complete and provide certification of completion of an additional hour of training described by Subsection (d)(13) every two years [issues related to trafficking of persons and child abuse and neglect. The rules must exempt from the training requirement of this subsection each judge or judicial officer who files an affidavit stating that the judge or judicial officer does not hear any cases involving family violence, sexual assault, trafficking of persons, or child abuse and neglect].
- (d) The instruction must include information about:
- (1) statutory and case law relating to videotaping a child's testimony and relating to competency of children to testify;
 - (2) methods for eliminating the trauma to the child caused by the court process;
 - (3) case law, statutory law, and procedural rules relating to family violence, sexual assault, trafficking of persons, and child abuse and neglect;
 - (4) methods for providing protection for victims of family violence, sexual assault, trafficking of persons, and child abuse and neglect;
 - (5) available community and state resources for counseling and other aid to victims and to offenders;
 - (6) gender bias in the judicial process;
 - (7) dynamics and effects of being a victim of [family violence,] sexual assault, trafficking of persons, or child abuse and neglect;
 - (8) dynamics of sexual abuse of children, including child abuse accommodation syndrome and grooming;
 - (9) impact of substance abuse on an unborn child and on a person's ability to care for a child;
 - (10) issues of attachment and bonding between children and caregivers;
 - (11) issues of child development that pertain to trafficking of persons and child abuse and neglect; ~~and~~
 - (12) medical findings regarding physical abuse, sexual abuse, trafficking of persons, and child abuse and neglect; and

(13) dynamics of family violence.

(d-2)The training described by Subsection (d)(13) must be developed in consultation with a statewide family violence advocacy organization.

Source: SB 855

Eff. Date: 12/1/2023—(a) Not later than December 1, 2023, the Texas Court of Criminal Appeals shall adopt the rules necessary to provide the training required under Section 22.110, Government Code, as amended by this Act. (b) Notwithstanding Section 22.110, Government Code, as amended by this Act, a judge, master, referee, or magistrate who is in office on the effective date of this Act must complete the training required by Section 22.110, Government Code, as amended by this Act, as applicable, not later than December 1, 2025.

SUBTITLE B. JUDGES

CHAPTER 39. JUDICIAL EDUCATION REQUIREMENTS—ADDED

§ 39.001. Applicability

This chapter applies to a person elected to or holding any of the following judicial offices:

- (1) chief justice or justice of the supreme court;
- (2) presiding judge or judge of the court of criminal appeals;
- (3) chief justice or justice of a court of appeals;
- (4) district judge, including a criminal district judge; and
- (5) judge of a statutory county court.

§ 39.002. Judicial Instruction Requirements

- (a) The supreme court, in consultation with the court of criminal appeals, shall adopt rules on the judicial training a person must complete not later than the first anniversary of the date the person assumes a judicial office, subject to Subsection (b). The rules must require the person to complete at least 30 hours of instruction.
- (b) Subsection (a) does not apply to a person who has been absent from judicial office for less than one year before assuming a judicial office and who has previously completed the requirements of Subsection (a).
- (c) A judge must annually complete at least 16 hours of instruction described by Subsection (a) after the first year of the judge's term.
- (d) The rules adopted under this section may provide for a deferral or exemption for a person who is unable to timely complete the training or instruction due to a medical or physical disability.
- (e) This section does not affect any funds appropriated to or grants administered by the court of criminal appeals under Chapter 56.

§ 39.003. Suspension

The State Commission on Judicial Conduct shall issue an order suspending any judge who fails to meet the education requirements under Section 39.002 until the judge demonstrates compliance with the requirements.

§ 39.004. Removal from Office

- (a) For purposes of Section 1-a, Article V, Texas Constitution, a judge who is noncompliant with the education requirements under Section 39.002 for more than one year has engaged in wilful or persistent conduct that is clearly inconsistent with the proper performance of a judge's duties sufficient to subject the judge to removal from office.

(b) The attorney general shall file a petition under Section 66.002, Civil Practice and Remedies Code, against a judge who is subject to removal as provided by Subsection (a) if presented with evidence by the State Commission on Judicial Conduct establishing probable grounds that the judge engaged in conduct described by Subsection (a).

Source: HB 2384

Eff. Date: 9/1/2023—apply to all judges elected, appointed, or holding office on or after the effective date of this Act.

SUBTITLE D. JUDICIAL PERSONAL AND OFFICIALS

CHAPTER 51. CLERKS

Subchapter D. District Clerks

§ 51.3071. Transfer of Cases—AMENDED/ADDED

- (a) If a case is transferred from a district court to a constitutional or statutory county court or another district court, the clerk of the transferring [district] court shall send to the [county] clerk of the court to which the case is transferred, using the electronic filing system established under Section 72.031:
- (1) a transfer certificate and index of transferred documents;
 - (2) a copy of the original papers filed in the transferring court;
 - (3) a copy of the order of transfer signed by the transferring court;
 - (4) a copy of each final order;
 - (5) a copy of the transfer certificate and index of transferred documents from each previous transfer; and
 - (6) a bill of any costs that have accrued in the transferring court.
- (f) The clerks of both the transferee and transferring courts may each produce, under this chapter, certified or uncertified copies of documents transferred under Subsection (a) and must include a copy of the transfer certificate and index of transferred documents with each document produced.
- (g) This section applies regardless of whether the transferee court and the transferring court are in the same or different counties.

Source: SB 1612

Eff. Date: 9/1/2023

SUBTITLE F. COURT ADMINISTRATION

CHAPTER 72. OFFICE OF COURT ADMINISTRATION

Subchapter C. Powers and Duties

§ 72.024. Methods; Recommendations—ADDED

(b-1)The director shall develop standards for identifying courts that need additional assistance to promote the efficient administration of justice.

Source: HB 2384

Eff. Date: 9/1/2023

§ 72.039. Protective Order Applications, Forms, And Materials—ADDED

- (a) The office shall develop and make available on the office's Internet website standardized forms and other materials necessary to apply for, issue, deny, revise, rescind, serve, and enforce any of the following:
- (1) a protective order under Title 4, Family Code, or Subchapter A, Chapter 7B, Code of Criminal Procedure;
 - (2) a magistrate's order for emergency protection under Article 17.292, Code of Criminal Procedure; or
 - (3) a temporary ex parte order under Chapter 83, Family Code, or Article 7B.002, Code of Criminal Procedure.
- (b) Each standardized form developed under Subsection (a) to be used by a magistrate or court issuing an order must include:
- (1) the prohibitions and requirements imposed on the respondent;
 - (2) the duration of the order;
 - (3) the potential consequences of violating the order; and
 - (4) any other admonishments or warnings required by law.
- (c) The materials developed under Subsection (a) must include a procedure to ensure that a copy of the order is transmitted to all required parties and all relevant information required by Section 411.042(b)(6) is entered into the statewide law enforcement information system maintained by the Department of Public Safety under Section 411.042 and any other applicable databases.
- (d) In developing the required applications, forms, and materials, the office shall:
- (1) consult with individuals, organizations, and state agencies that have knowledge and experience in the issues of protective orders, including:
 - (A) the Texas Council on Family Violence;
 - (B) the Department of Public Safety;
 - (C) nonprofit organizations that advocate for the survivors of sexual assault or family violence;
 - (D) individuals, organizations, and state agencies that provide training to judges, prosecutors, and law enforcement officers;
 - (E) the judges or justices of courts of varying jurisdictions;
 - (F) law enforcement agencies;
 - (G) prosecutors; and
 - (H) an organization that receives federal funding under the legal assistance for victims grant program and that has expertise in issues related to family violence, sexual assault, or stalking; and
 - (2) give consideration to promoting uniformity of law among the states that enact the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act.

Source: SB 48

Eff. Date: 9/1/2023—As soon as practicable after the effective date of this Act, but not later than June 1, 2024, the Office of Court Administration of the Texas Judicial System shall create and make available on the office's Internet website all forms and materials required by Section 72.039, Government Code, as added by this Act. If the office completes the forms and materials required by Section 72.039, Government Code, as added by this Act, before June 1, 2024, the office shall notify each court clerk, judge, magistrate, and prosecution agency in the state of the availability of the forms and materials.

§ 72.082. Performance Report—AMENDED

The office shall annually collect and publish a performance report of information regarding the efficiency of the courts of this state. The report must include disaggregated performance measures for each appellate court, district court, statutory county court, statutory probate court, and county court.

Source: HB 2384

Eff. Date: 9/1/2023—after the effective date of this act, the Texas Judicial Council shall adopt the rules necessary for the Office of Court Administration of the Texas Judicial System to collect the information required under Sections 72.082 and 72.083, Government Code, as amended by this Act.

§ 72.083. Trial Courts—AMENDED

- (a) ~~[The office shall report the aggregate clearance rate of cases for the district courts.]~~ In this section, "clearance rate" means the number of cases disposed of by a court ~~[the district courts]~~ divided by the number of cases added to the docket ~~[dockets]~~ of the court ~~[district courts]~~.
- (b) The office shall annually report the following performance measures for each district court, statutory county court, statutory probate court, and county court:
- (1) the court's clearance rate;
 - (2) the average time a case is before the court from filing to disposition; and
 - (3) the age of the court's active pending caseload.

Source: HB 2384

Eff. Date: 9/1/2023—after the effective date of this act, the Texas Judicial Council shall adopt the rules necessary for the Office of Court Administration of the Texas Judicial System to collect the information required under Sections 72.082 and 72.083, Government Code, as amended by this Act.

Subchapter F. Protective Order Registry

§ 72.154. Public Access to Protective Order Registry—AMENDED

- (a) Subject to Subsections (c) and (d) and Section 72.158, the office shall establish and maintain the registry in a manner that allows a member of the public, free of charge, to electronically search for and receive publicly accessible information contained in the registry regarding each protective order issued in this state. The registry must be searchable by:
- (1) the county of issuance;
 - (2) the name of a person who is the subject of the protective order; ~~[and]~~
 - (3) any known common misspellings of the name of a person who is the subject of the protective order;
 - (4) any known aliases of a person who is the subject of the protective order; and
 - (5) the birth year of a person who is the subject of the protective order.

Source: HB 3698

Eff. Date: 9/1/23

§ 72.155. Restricted Access to Protective Order Registry—AMENDED

- (a) The registry must include a copy of each application for a protective order filed in this state and a copy of each protective order issued in this state, including an expired order, or a vacated order other than an order that was vacated as the result of an appeal or bill of review from a district or county court. Only an authorized user, the attorney general, a district attorney, a criminal district attorney, a county attorney, a municipal attorney, a magistrate, or a peace officer may access that information under the registry.
- (b) The office shall ensure that an authorized user, the attorney general, a district attorney, a criminal district attorney, a county attorney, a municipal attorney, a magistrate, or a peace officer is able

to search for and receive a copy of a filed application for a protective order or a copy of an issued protective order through the registry's Internet website.

Source: HB 3698
Eff. Date: 9/1/23

SUBTITLE F. COURT ADMINISTRATION
Subchapter C. Administrative Judicial Regions

§ 74.046. Duties of Presiding Judge—AMENDED

(a) A presiding judge shall:

- (1) ensure the promulgation of regional rules of administration within policies and guidelines set by the supreme court;
- (2) advise local judges on case flow management and auxiliary court services;
- (3) recommend to the chief justice of the supreme court any needs for judicial assignments from outside the region;
- (4) recommend to the supreme court any changes in the organization, jurisdiction, operation, or procedures of the region necessary or desirable for the improvement of the administration of justice;
- (5) act for a local administrative judge when the local administrative judge does not perform the duties required by Subchapter D;
- (6) implement and execute any rules adopted by the supreme court under this chapter;
- (7) provide the supreme court or the office of court administration statistical information requested; and
- (8) perform the duties assigned by the chief justice of the supreme court.

(b) A presiding judge may appoint a judicial mentor or arrange for additional administrative personnel to be assigned to a court identified by the Office of Court Administration of the Texas Judicial System as needing additional assistance under Section 72.024(b-1).

Source: HB 2384
Eff. Date: 9/1/2023

SUBTITLE G. ATTORNEYS
CHAPTER 81. STATE BAR
Subchapter E. Discipline

§ 81.075. Disposition of Complaints—AMENDED/ADDED

(f) If the panel of a district grievance committee finds an attorney knowingly made a false declaration on an application for a place on the ballot as a candidate for judicial office under Section 141.0311, Election Code, the committee shall impose a public sanction against the respondent attorney.

Source: HB 2384
Eff. Date: 9/1/2023

CHAPTER 82. LICENSING OF ATTORNEYS
Subchapter D. Specialty Certifications for Attorneys—ADDED

§ 82.101. Specialty Certification in Judicial Administration—ADDED

- (a) The supreme court shall adopt rules establishing a specialty certification for attorneys in the practice area of judicial administration.
- (b) For purposes of establishing a specialty certification for attorneys in the practice area of judicial administration, the Texas Board of Legal Specialization shall make recommendations to the supreme court for the specialty certification and a proposed examination for obtaining the specialty certification.
- (c) The Texas Board of Legal Specialization shall make the specialty certification for attorneys in judicial administration available to each judge of an appellate court, district court, statutory county court, statutory probate court, or county court performing judicial functions who is a licensed attorney and who meets the eligibility requirements established by the board.
- (d) The supreme court by rule shall require an attorney who holds a specialty certification in judicial administration to annually complete 21 hours of continuing legal education to maintain the certification.
- (e) A justice or judge who holds a specialty certification in judicial administration or another specialty certification may be entitled to additional compensation if the legislature makes a specific appropriation for that purpose.

Source: HB 2384
Eff. Date: 9/1/2023

TITLE 5. OPEN GOVERNMENT; ETHICS
SUBTITLE A. OPEN GOVERNMENT
CHAPTER 552. PUBLIC INFORMATION
Subchapter C. Information Excepts from Required Disclosure

§ 552.117(a). Exception: Confidentiality of Certain Addresses, Telephone Numbers, Social Security Numbers, and Personal Family Information—AMENDED

- (a) Information is excepted from the requirements of Section 552.021 if it is information that relates to the home address, home telephone number, emergency contact information, or social security number of the following person or that reveals whether the person has family members:
 -
 - (7) a current or former employee of the office of the attorney general who is or was assigned to a division of that office the duties of which involve law enforcement or are performed under Chapter 231, Family Code, regardless of whether the current or former employee complies with Section 552.024 or 552.1175;

Source: SB 870
Eff. Date: 9/1/2023—apply only to a request for information that is received by a governmental body or an officer on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

**§ 552.1175(a). Exception: Confidentiality of Certain Personal Identifying Information of Peace Officers and Other Officials Performing Sensitive Governmental Functions—
AMENDED**

(a) This section applies only to:

....

- (9) current and former employees of the office of the attorney general who are or were assigned to a division of that office the duties of which involve law enforcement or are performed under Chapter 231, Family Code;

Source: SB 870

Eff. Date: 9/1/2023—apply only to a request for information that is received by a governmental body or an officer on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.

HUMAN RESOURCES CODE

TITLE 2. HUMAN SERVICES AND PROTECTIVE SERVICES IN GENERAL

SUBTITLE D. SERVICES FOR FAMILIES

CHAPTER 51. FAMILY VIOLENCE CENTERS

§ 51.002. Definitions—AMENDED/ADDED

(1) "Dating relationship" has the meaning assigned by Section 71.0021(b), Family Code.

(1-a)"Dating violence" means an act, other than a defensive measure to protect oneself, by an individual against another individual with whom the actor has or has had a dating relationship and that is:

(A) intended to result in physical harm, bodily injury, assault, or sexual assault;

(B) a threat that reasonably places an individual in fear of imminent physical harm, bodily injury, assault, or sexual assault; or

(C) intended to inflict emotional harm, including an act of emotional abuse.

(1-b)"Family" has the meaning assigned by Section 71.003, Family Code.

(2) "Family violence" means:

(A) an act by a member of a family or household against another member of the family or household that:

(i) ~~[(A)]~~ is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself; or

(ii) ~~[(B)]~~ is intended to inflict emotional harm, including an act of emotional abuse; or

(B) dating violence.

(8-a)"Trauma-informed" in regard to a service or service model means that the service or service model is provided in a manner that recognizes and responds to the signs and symptoms of trauma in, and the risks of trauma to, a victim of family violence to better support the victim and promote the victim's choice, trust, dignity, connection, and healing.

(9) "Victim of family violence" means:

(A) an adult member of a family or household who is subjected to an act of family violence;
[or]

- (B) a member of the household of the adult described by Paragraph (A), other than the member of the household who commits the act of family violence, including an act of emotional abuse; or
- (C) an individual who is subjected to an act of dating violence.

Source: SB 1841
Eff. Date: 9/1/23

§ 51.004. Contract Eligibility; Procurement; Application Process—AMENDED

- (a) To be eligible for a contract under Section 51.003(a), a family violence shelter center must:
- (1) provide temporary lodging and direct delivery of services for adults and their dependents;
 - (2) have been in actual operation offering shelter services 24 hours a day with a capacity for not less than five persons for at least one year before the date on which the contract is awarded;
 - (3) demonstrate that the center, through the services it provides, is addressing a need in the community consistent with the plan for family violence services under Section 51.0021; ~~and~~
 - (4) demonstrate that the center is using a voluntary and trauma-informed advocacy service model that respects an individual's needs; and
 - (5) submit a contract application on forms prescribed by the commission.
- (b) To be eligible for a contract under Section 51.003(a), a family violence nonresidential center must:
- (1) provide, as its primary purpose, direct delivery of services to adult victims of family violence;
 - (2) demonstrate a system of referring victims of family violence to at least one family violence shelter center or other safe temporary lodging;
 - (3) have been operating and providing comprehensive services, including the services described by Section 51.005(b)(3), to victims of family violence for at least one year before the date on which the contract is awarded;
 - (4) demonstrate that the center, through the services it provides, is addressing a need in the community consistent with the plan for family violence services under Section 51.0021; ~~and~~
 - (5) demonstrate that the center is using a voluntary and trauma-informed advocacy service model that respects an individual's needs; and
 - (6) submit a contract application on forms prescribed by the commission.

Source: SB 1849
Eff. Date: 9/1/23—The changes in law made by this Act apply only to a contract entered into or amended on or after the effective date of this Act. A contract entered into or amended before the effective date of this Act is governed by the law in effect on the date the contract was entered into or amended, and the former law is continued in effect for that purpose.

§ 51.005. Contract Specifications—AMENDED

- (b) The contracts shall require the persons operating a family violence center to:
- (1) make a quarterly and an annual financial report on a form prescribed by the commission;
 - (2) cooperate with inspections the commission makes to ensure services standards and fiscal responsibility; and
 - (3) provide, as its primary purpose, voluntary and trauma-informed services to victims of family violence that include:

- (A) 24-hour-a-day shelter, except that a family violence nonresidential center may provide access to a 24-hour-a-day shelter;
- (B) a 24-hour-a-day crisis hotline, except that a family violence nonresidential center may provide access to a 24-hour-a-day crisis hotline operated by another organization located in the nonresidential center's service area;
- (C) access to emergency medical care;
- (D) crisis and intervention services, including ~~[safety planning,]~~ understanding and support, information, education, referrals, and other resource assistance;
- (E) access to emergency transportation;
- (F) advocacy focused on:
 - (i) economic and housing stability;
 - (ii) physical, behavioral, and mental health;
 - (iii) the needs of children who are victims and the children of victims; and
 - (iv) [legal assistance in] the civil and criminal legal [justice] systems, including:
 - (a)~~[(i)]~~ identifying individual needs, legal rights, and legal options; and
 - (b)~~[(ii)]~~ providing support and accompaniment in pursuing those options;
- (G) ongoing safety planning services in collaboration with the self-stated priorities and needs of the victim of family violence ~~[information about educational arrangements for children];~~
- (H) community education regarding family violence and family violence prevention efforts ~~[information about training for and seeking employment];~~
- (I) counseling services ~~[cooperation with criminal justice officials]; and~~
- (J) peer support services led by victims of family violence, including activities and other efforts that facilitate connections and the creation of community among victims of family violence ~~[community education;~~
- ~~[(K) a referral system to existing community services; and~~
- ~~[(L) a volunteer recruitment and training program].~~

(b-1)The contracts shall:

- (1) specify that participation in services by a victim of family violence is voluntary; and
- (2) prohibit the persons operating a family violence center from requiring a victim of family violence to participate in other services as a condition of receiving shelter.

Source: SB 1849

Eff. Date: 9/1/23—The changes in law made by this Act apply only to a contract entered into or amended on or after the effective date of this Act. A contract entered into or amended before the effective date of this Act is governed by the law in effect on the date the contract was entered into or amended, and the former law is continued in effect for that purpose.

CHAPTER 51A. NOTICE TO VICTIMS OF FAMILY VIOLENCE, STALKING, HARASSMENT, OR TERRORISTIC THREAT- THE NATALIA COX ACT—ADDED

§ 51A.001. Definitions.

- (1) "Family" has the meaning assigned by Section 71.003, Family Code.
- (2) "Family violence" has the meaning assigned by Section 71.004, Family Code.
- (3) "Harassment" means any conduct that constitutes an offense under Section 42.07, Penal Code.
- (4) "Household" has the meaning assigned by Section 71.005, Family Code.
- (5) "Member of a household" has the meaning assigned by Section 71.006, Family Code.
- (6) "Stalking" means any conduct that constitutes an offense under Section 42.072, Penal Code.
- (7) "Terroristic threat" means any conduct that constitutes an offense under Section 22.07, Penal Code.

§ 51A.002. Applicability to Victims of Certain Offenses.

This chapter applies to a victim of family violence, stalking, harassment, or terroristic threat, including:

- (1) an adult member of a family or household who is subjected to an act of family violence;
- (2) a member of the household of the adult described by Subdivision (1), other than the member of the household who commits the act of family violence; and
- (3) a person who is subjected to conduct constituting stalking, harassment, or terroristic threat.

§ 51A.003. Notice to Victims.

- (a) The commission by rule shall adopt a written notice to be provided to victims of family violence, stalking, harassment, or terroristic threat to assist those victims in obtaining services. The commission shall use best practices in creating the written notice.
- (b) The notice adopted under this section must include the following in both English and Spanish:
 - (1) a statement that it is a criminal offense for any person, including a member of the family or former member of the family, to cause physical injury or harm to a victim or to engage in conduct constituting stalking, harassment, or terroristic threat toward a victim;
 - (2) a list of agencies and social organizations that the victim may contact for assistance with safety planning, shelter, or protection;
 - (3) contact information for:
 - (A) the National Domestic Violence Hotline;
 - (B) victim support services at the Department of Public Safety; and
 - (C) the commission's family violence program; and
 - (4) information regarding the legal rights of a victim, including information regarding:
 - (A) the filing of criminal charges and obtaining a protective order or a magistrate's order for emergency protection; and
 - (B) the ability of a tenant who is a victim of family violence to vacate a dwelling and terminate a residential lease.
- (c) The notice adopted under this section may include any other information the commission considers useful to a victim of family violence, stalking, harassment, or terroristic threat.
- (d) The commission shall periodically update the notice required under this section.
- (e) The commission shall make the notice adopted under this section available on the commission's Internet website in both English and Spanish.

Source: SB 1325 (*includes all of the new Chapter 51A*)

Eff. Date: 9/1/23—applies only to an application filed on or after the effective date of this Act. An application filed before the effective date of this Act is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

PENAL CODE

TITLE 5. OFFENSES AGAINST THE PERSON CHAPTER 22. ASSAULT

§ 22.01(b) and (b-3). Assault—AMENDED

- (b) An offense under Subsection (a)(1) is a Class A misdemeanor, except that the offense is a felony of the third degree if the offense is committed against:
 - (1) a person the actor knows is a public servant while the public servant is lawfully discharging an official duty, or in retaliation or on account of an exercise of official power or performance of an official duty as a public servant;

- (2) a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code, if:
- (A) it is shown on the trial of the offense that the defendant has been previously convicted of an offense that was committed:
- (i) ~~[under this chapter, Chapter 19, or Section 20.03, 20.04, 21.11, or 25.11]~~ against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; and
- (ii) under:
- (a) this chapter, Chapter 19, or Section 20.03, 20.04, 21.11, or 25.11;
- (b) Section 25.07, if the applicable violation was based on the commission of family violence as described by Subsection (a)(1) of that section; or
- (c) Section 25.072, if any of the applicable violations were based on the commission of family violence as described by Section 25.07(a)(1); or
- (B) the offense is committed by intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth;

...

- (b-3) Notwithstanding Subsection (b)(2), an offense under Subsection (a)(1) is a felony of the second degree if:
- (1) the offense is committed against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code;
- (2) it is shown on the trial of the offense that the defendant has been previously convicted of an offense that was committed:
- (A) ~~[under this chapter, Chapter 19, or Section 20.03, 20.04, or 21.11]~~ against a person whose relationship to or association with the defendant is described by Section 71.0021(b), 71.003, or 71.005, Family Code; and
- (B) under:
- (i) this chapter, Chapter 19, or Section 20.03, 20.04, 21.11, or 25.11;
- (ii) Section 25.07, if the applicable violation was based on the commission of family violence as described by Subsection (a)(1) of that section; or
- (iii) Section 25.072, if any of the applicable violations were based on the commission of family violence as described by Section 25.07(a)(1); and
- (3) the offense is committed by intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of the person by applying pressure to the person's throat or neck or by blocking the person's nose or mouth.

Source: HB 1589

Eff: Date: 9/1/2023—The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

TITLE 6. OFFENSES AGAINST THE FAMILY

CHAPTER 25. OFFENSES AGAINST THE FAMILY

§ 25.07. Violation of Certain Court Orders or Conditions of Bond In A Family Violence, Child Abuse or Neglect, Sexual Assault Or Abuse, Indecent Assault, Stalking, or Trafficking Case—AMENDED

- (a) A person commits an offense if, in violation of a condition of bond set in a family violence, sexual assault or abuse, indecent assault, stalking, or trafficking case and related to the safety of a

victim or the safety of the community, an order issued under Subchapter A, Chapter 7B, Code of Criminal Procedure, an order issued under Article 17.292, Code of Criminal Procedure, an order issued under Section 6.504, Family Code, Chapter 83, Family Code, if the temporary ex parte order has been served on the person, Chapter 85, Family Code, or Subchapter F, Chapter 261, Family Code, or an order issued by another jurisdiction as provided by Chapter 88, Family Code, the person knowingly or intentionally:

....

(8) publishes on an Internet website, including a social media platform, repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to another person, unless the communications are made in connection with a matter of public concern; or

(9) tracks or monitors the personal property or motor vehicle of another person, without the other person's effective consent, including by:

(A) using a tracking application on the person's personal electronic device or using a tracking device; or

(B) physically following the other person or causing any person to physically follow the other person.

(e) For purposes of Subsection (a)(9), it is presumed that a person did not give effective consent to the actor's conduct if:

(1) an application for a protective or restraining order against or with respect to the actor has been filed by or on behalf of the person under Subchapter A, Chapter 7B, Code of Criminal Procedure, Article 17.292, Code of Criminal Procedure, Section 6.504, Family Code, or Subtitle B, Title 4, Family Code, or an order has been issued against or with respect to the actor under one of those provisions; or

(2) the person is married to the actor and a petition for dissolution of marriage has been filed, or the person was previously married to the actor and the marriage has been dissolved.

Source: HB 2715

Eff: Date: 9/1/2023—applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

TITLE 9. OFFENSES AGAINST PUBLIC ORDER AND DECENCY

CHAPTER 42. DISORDERLY CONDUCT AND RELATED OFFENSES

§ 42.072(a). Stalking—AMENDED

(a) A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed [~~specifically~~] at a specific other [~~another~~] person, knowingly engages in conduct that:

(1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:

(A) bodily injury or death for the other person; or

(B) that an offense will be committed against:

(i) [bodily injury or death for] a member of the other person's family or household; [or]

(ii) [for] an individual with whom the other person has a dating relationship; or

(iii) [(C) that an offense will be committed against] the other person's property;

(2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship;

- (A) to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship, or the other person's property; or
- (B) to feel harassed, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- (3) would cause a reasonable person under circumstances similar to the circumstances of the other person to:
- (A) fear bodily injury or death for the person [~~himself or herself~~];
- (B) fear that an offense will be committed against [~~bodily injury or death for~~] a member of the person's family or household or [~~for~~] an individual with whom the person has a dating relationship;
- (C) fear that an offense will be committed against the person's property; or
- (D) feel harassed, terrified, intimidated, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Source: SB 1717

Eff. Date: 9/1/2023—The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

PROPERTY CODE

TITLE 3. PUBLIC RECORDS

CHAPTER 12. RECORDING OF INSTRUMENTS-AMENDED

§ 12.011(d). Instruments Concerning Property: Original Signature Required for Certain Instruments—ADDED/AMENDED

- (d) This section does not apply to a child support lien notice or release of child support lien issued by the Title IV-D agency under Chapter 157, Family Code. For purposes of this subsection, "Title IV-D agency" has the meaning assigned by Section 101.033, Family Code.

Source: SB 870

Eff. Date: 9/1/2023—apply only to a child support lien release executed on or after the effective date of this Act. A child support lien release executed before the effective date of this Act is governed by the law in effect on the date the lien release was executed, and the former law is continued in effect for that purpose.

TITLE 13. DISCLAIMER OF PROPERTY INTERESTS

SUBCHAPTER D. DISCLAIMER BARRED OR LIMITED

CHAPTER 240. TEXAS UNIFORM DISCLAIMER OF PROPERTY INTERESTS ACT

Subchapter D. Disclaimer Barred or Limited

§ 240.151. When Disclaimer Barred or Limited—AMENDED/ADDED

- (g) A disclaimer by a child support obligor is barred as to disclaimed property that could be applied to satisfy the disclaimant's child support obligations if those obligations have been:

- (1) administratively determined as evidenced by a certified child support payment record produced by the Title IV-D agency [as defined by Section 101.033, Family Code,] in a Title IV-D case [as defined by Section 101.034, Family Code]; or
- (2) confirmed and reduced to judgment as provided by Section 157.263, Family Code.
- (h) If Subsection (g) applies, the child support obligee to whom child support arrearages are owed or the Title IV-D agency may enforce the child support obligation against the disclaimant as to disclaimed property by a lien or by any other remedy provided by law.
- (i) In this section:
 - (1) "Title IV-D agency" has the meaning assigned by Section 101.033, Family Code.
 - (2) "Title IV-D case" has the meaning assigned by Section 101.034, Family Code.

Source: SB 870

Eff. Date: 9/1/2023—apply only to a request for information that is received by a governmental body or an officer on or after the effective date of this Act. A request for information that was received before the effective date of this Act is governed by the law in effect on the date the request was received, and the former law is continued in effect for that purpose.
