

By: A. Davis of Dallas

H.B. No. 4869

A BILL TO BE ENTITLED

AN ACT

relating to the modification of a court order based on a parental child safety placement agreement or an authorization agreement with an adult caregiver.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sec. 156.409, Family Code, is amended by amending Subsections (a) and (b) and adding Subsections (a-4), (a-5), (c), and (d) to read as follows:

(a) The court shall, on the motion of a party or a person having physical possession of the child, modify an order providing for the support of the child to provide that the person having physical possession of the child [~~for at least six months~~] shall have the right to receive and give receipt for payments of support for the child and to hold or disburse money for the benefit of the child if the sole managing conservator of the child or the joint managing conservator who has the exclusive right to determine the primary residence of the child has:

(1) voluntarily relinquished the primary care and possession of the child to the person having physical possession of the child for at least six months;

(2) been incarcerated or sentenced to be incarcerated for at least 90 days; ~~[or]~~

(3) relinquished the primary care and possession of the child in a proceeding under Title 3 or Chapter 262;

(4) entered into an authorization agreement with an adult caregiver under Chapter 34; or

(5) entered into a parental child safety placement agreement under Section 264.902.

(a-4) An order that modifies a support order based on Subsection (a)(5) is temporary and must include a finding that the modification is based on a parental child safety placement agreement. The temporary order terminates 90 calendar days after the date the agreement is signed or on a termination date indicated in the temporary order, whichever is earlier.

(a-5) The court shall give preference to a motion filed pursuant to Subsection (a)(5) and shall hold a hearing on the motion not later than the 30th day after a request for hearing has been filed with the court.

(b) A ~~[Notice of a]~~ motion for modification under this section may be served:

(1) in the manner for serving a notice under Section 157.065; or

(2) by e-mailing a copy of the motion to the respondent and filing a copy of the notice of hearing through the electronic

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filing manager authorized by Rule 21, Texas Rules of Civil Procedure.

(c) Other legal documents and required notices under Subsection (b) shall be delivered through the electronic filing manager.

(d) The party or the party's attorney of record who serves a motion pursuant to Subsection (b) shall file a signed certificate of service stating the date of mailing and the manner in which the document was served on the other party. Confirmation of service through the electronic filing manager satisfies the requirements of this section.

SECTION 2. This Act takes effect September 1, 2025.