

By: Cook

H.B. No. 660

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement and administration of certain protective orders.

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

SECTION 1. Chapter 83, Family Code, is amended by adding Section 83.0025 to read as follows:

Sec. 83.0025. ENFORCEMENT OF TEMPORARY EX PARTE ORDER. 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.

SECTION 2. Section 86.001(b), Family Code, is amended to read as follows:

(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.

SECTION 3. Section 86.0011(a), Family Code, is amended to read as follows:

(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

1 release of a person subject to the protective order, a law
2 enforcement agency shall immediately, but not later than the next
3 [~~third~~] business day after the date the order or information is
4 received, enter the information required by Section 411.042(b)(6),
5 Government Code, into the statewide law enforcement information
6 system maintained by the Department of Public Safety.

7 SECTION 4. Section 87.004(b), Family Code, is amended to
8 read as follows:

9 (b) The clerk of the court shall attach the notification of
10 change to the protective order and shall deliver a copy of the
11 notification to:

12 (1) the respondent by registered or certified mail as
13 provided by Rule 21a, Texas Rules of Civil Procedure; and

14 (2) any other person entitled to a copy of the order
15 under Section 85.042.

16 SECTION 5. (a) Section 83.0025, Family Code, as added by
17 this Act, applies to a temporary ex parte protective order rendered
18 under Chapter 83, Family Code, regardless of whether the order was
19 rendered before, on, or after the effective date of this Act.

20 (b) Sections 86.001(b) and 86.0011(a), Family Code, as
21 amended by this Act, apply only to information regarding a
22 protective order received by a law enforcement agency on or after
23 the effective date of this Act.

24 (c) Section 87.004(b), Family Code, as amended by this Act,
25 applies only to a notification of change of address or telephone
26 number filed with the court on or after the effective date of this
27 Act.

1 SECTION 6. This Act takes effect September 1, 2023.